

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Meishan CRRC Fastening System Co., Ltd.

Petitioner,

v.

Howmet Aerospace Inc.

Patent Owner

Case IPR2026-00268

Patent No. 11,885,358

**PATENT OWNER'S MOTION FOR ADDITIONAL DISCOVERY
UNDER 37 C.F.R. § 42.51(b)(2)**

Pursuant to the USPTO's March 18, 2026 authorization, Patent Owner respectfully submits this Motion for Additional Discovery pursuant to 37 C.F.R. §42.51(b)(2).

I. INTRODUCTION: DISCOVERY IS WARRANTED

As described below, Petitioner Meishan CRRC Fastening System Co., Ltd. ("Meishan") has inappropriately failed to identify multiple Real Parties-In-Interest ("RPIs") in the instant proceeding. First, Meishan fails to provide any information regarding its corporate relationship and/or connection to the Chinese government, which is now dispositive in view of the Director's precedential decision in *Tianma v. LG Display*, IPR2025-01579. Second, Meishan fails to provide any information regarding Meishan, its RPIs, and parties to the related litigation involving the challenged patent, U.S. Patent No. 11,885,358 ("the '358 Patent").

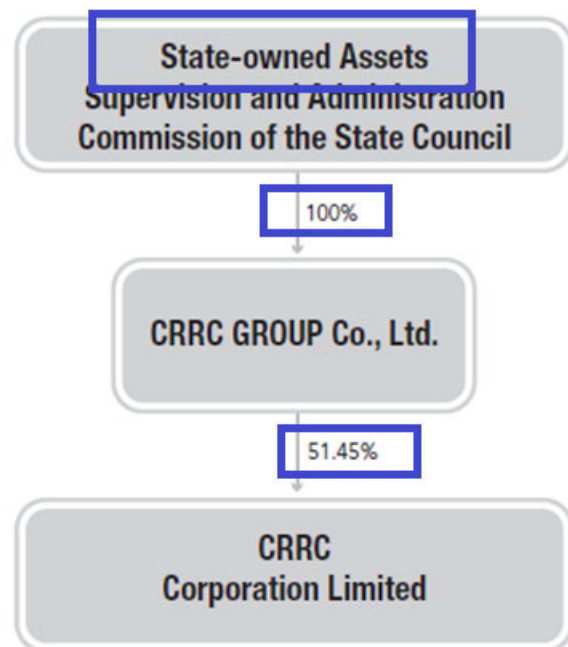
Herein, Patent Owner provides two limited and narrowly tailored discovery requests for information and materials relating to these critical RPI issues, which Meishan failed to address. As provided below, good cause exists for granting Patent Owner's Motion for Additional Discovery.

II. BACKGROUND: PETITIONER HAS FAILED TO IDENTIFY TO ALL RPIs

In the Petition, Meishan identifies the following two entities as RPIs: (1) CRRC Meishan Co., Ltd. ("CRRC Meishan") and (2) Nextpower Inc. (formerly Nextracker Inc.) (collectively herein "Nextracker"). Pet., 3. Meishan further

provides that “CRRC Meishan is Petitioner’s parent corporation.” *Id.* Yet, Meishan fails to provide any information regarding the relationship between CRRC Meishan and its parent entity, CRRC Corporation Limited. Nor does Meishan identify any other RPIs. However, Meishan is apparently Chinese state-owned.

According to Meishan’s website, “CRRC Meishan Co., Ltd.” is an “affiliate to the CRRC Corporation Limited” (“CRRC”). Meishan Website, EX2001, 1. CRRC Corporation Limited is a Chinese state-owned entity, with its headquarters in Beijing, China. World Benchmarking Alliance, EX2002, 1. Indeed, the CRRC Annual Report states that **“CRRCG is a large state-owned enterprise under the direct management of the SASAC [State-owned Assets Supervision and Administration Commission of the State Council].”** CRRC Annual Report, EX2003, 76. To the right, is a corporation relationship diagram provided in the CRRC Annual Report, showing CRRC is majority owned (51.45%) by CRRC Group, with CRRC Group being 100% owned by the Chinese government.



EX2003, 142. Despite this direct corporate relationship, Meishan failed to identify CRRC Corporation Limited, CRRC Group Co., Ltd., or any relationship to the Chinese government. Accordingly, Patent Owner seeks discovery thereon.

Patent Owner also seeks information regarding the relationship of Meishan, Nextracker and its other designated RPIs to past or current Defendants in the following litigation: *Howmet Aerospace Inc. v. Stanley Engineered Fastening, LLC, et al* 1-25-cv-01335 (DDE) (“*Delaware* Litigation”) and the petitioner parties and their designated RPIs in the following IPR, *Stanley Black & Decker, Inc. v. Howmet Aerospace Inc. f/k/a Arconic Inc. f/k/a Alcoa Inc.*, IPR2025-01581 (PTAB).

The *Delaware* litigation, the instant IPR, and IPR2025-01581 all concern the ’358 Patent. Stanley Black & Decker, Inc. (“SBD”) is a named defendant in the *Delaware* litigation and SBD was the Petitioner in IPR2025-01581, which Petition was discretionarily denied by the Director on February 18, 2026. SBD’s Petition in IPR2025-01581 identifies **forty-five** entities as RPIs to that proceeding. IPR2025-01581, Paper 1, 78-79. The instant IPR was filed February 20, 2026, **a mere two days** after the SBD Petition was denied. None of the 45 entities listed as RPIs in IPR2025-01581 are identified as RPIs in the instant proceeding.

Upon information and belief, Patent Owner understands that RPI Nextracker purchases or has purchased fastening devices within the scope of those claimed in Patent Owner’s ’358 Patent (referred to generally as “BOMTail” fasteners) from

SBD and/or one or more of the entities listed as an RPI for IPR2025-01581. Patent Owner's understanding is grounded in documentary evidence.

Specifically, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] SBD is

by far the most likely supplier of BOMTail-type products to Nextracker.

There are three main suppliers of industrial fasteners of the type used by Nextracker: Howmet (Patent Owner), Meishan (current Petitioner), and Stanley Black & Decker, Inc. ("SBD") (the prior Petitioner in IPR2025-01581). Documentation in the *Delaware* Litigation establishes that SBD markets its tools for use with Meishan and Howmet fasteners. Below is an excerpt from an SBD catalog cited in the *Delaware* Litigation:

NOTE

When setting fasteners supplied by Howmet or Meishan, Anvil spacer (65110-00679) must be installed before the nose housing to provide adequate nose length to reach all applications.

EX2005, *Delaware* Litigation, Docket No. 1-3 (Exhibit C to the Complaint), 29. As shown above, SBD designs its products to be compatible with Howmet and Meishan fasteners. Accordingly, if Nextracker is not [REDACTED]
[REDACTED] SBD is the most likely supplier.

For these reasons, Patent Owner reasonably believes that one of Nextracker's suppliers for BOMTail-type fasteners is either SBD and/or one or more of the entities listed as an RPI for IPR2025-01581. Therefore, Patent Owner seeks information regarding a relationship between Meishan, CRRC Meishan, and/or Nextracker and one or more of parties named in the *Delaware* Litigation and/or one or more of the petitioner parties or the many entities listed as RPIs in IPR2025-01581.

III. ARGUMENT: PETITIONER SHOULD PROVIDE RELEVANT MATERIALS REGARDING POTENTIAL RPIs

The standard for additional discovery in an IPR proceeding is good cause. 37 C.F.R. § 42.224(a); *see also Bloomberg Inc. v. Markets-Alert Pty Ltd*, CBM2013-00005, Paper 32, pp. 2-3. In determining whether good cause for additional discovery exists, the Board evaluates the following factors, which consider whether: (1) there is a reasonable expectation that something useful will be discovered; (2)

the requests seek another party's litigation positions and the underlying basis for those positions; (3) equivalent information can be acquired through other means; (4) the requested discovery is defined by easily understandable instructions; and (5) the requests would be overly burdensome to answer. *See Garmin Int'l, Inc. v. Cuozzo Speed Techs. LLC*, Case IPR2012-00001, Paper 26, pp. 6-7. For the reasons set forth below, consideration of the *Garmin* factors confirms that good cause exists for the requested discovery.

Specifically, Patent Owner requests that Petitioner and its RPIs (including Nextracker) be ordered to respond to the following discovery requests ("Discovery Requests"):

- Provide documents relating to or identifying a connection or relationship between Meishan, CRRC Meishan, or Nextracker and CRRC Corporation Limited, CRRC Group Co., Ltd., SASAC, any entity of the Chinese government, or the Chinese government itself.
- Provide documents relating to or identifying a connection or relationship between Meishan, CRRC Meishan, or Nextracker and Stanley Black & Decker, Inc. or any of the entities listed as an RPI for IPR2025-01581.

A. There Is More Than a Possibility That Additional Unnamed RPis Will Be Identified Through Discovery.

On March 18, 2026, Director Squires designated the decision in *Tianma v. LG Display*, IPR2025-01579, Paper 12 as precedential. In *Tianma*, the Director held that a foreign government is not permitted to be a petitioner in an AIA proceeding. IPR2025-01579, Paper 12, 4 (“Based on *Return Mail* and cases applying the term ‘person’ to foreign governments, a foreign government is not a ‘person’ under the AIA, and therefore is not permitted to seek review of a patent before the Office as a petitioner in AIA proceedings.”). Additionally, the Director held in *Tianma* that “*Return Mail* also bars a petition when a foreign government is an RPI of a petitioner.” *Id.* at 5. The Director describes that “the integrity of PTAB proceedings depends on knowing who is behind a petition—who funds it, directs it, and/or benefits from it. Any opacity in that chain of control invites exploitation, may facilitate technology transfer contrary to U.S. law, regulation, and interests, and serves only to undermine public confidence in the integrity of the patent system.” *Id.* at 7.

As described above and based on public record, it appears that Meishan is an entity of or at least related to the Chinese government. *See* EX2003, 76 (“**CRRCG is a large state-owned enterprise under the direct management of the SASAC** [State-owned Assets Supervision and Administration Commission of the State

Council].”). Thus, it is highly likely that the Chinese government is an RPI of the Petitioner. Accordingly, Meishan’s instant petition should be barred in view of *Tianma*. Discovery regarding Meishan’s relationship to CRRC Corporation Limited, CRRC Group Co., Ltd., SASAC, any entity of the Chinese government, or the Chinese government itself is of critical importance to this IPR.

Furthermore, the other identified RPI in this proceeding (Nextracker) is seemingly purchasing BOMTail-type fasteners from suppliers other than Patent Owner or Meishan, and documentary evidence shows that it is highly likely the other supplier is SBD and/or one or more of the entities listed as an RPI for IPR2025-01581. Therefore, discovery regarding a relationship between Meishan, CRRC Meishan, and/or Nextracker and one or more of parties named in the *Delaware* Litigation and/or one or more of the petitioner parties or the many entities listed as RPIs in IPR2025-01581 is also of critical importance to this IPR.

B. The Request Does Not Seek Meishan’s Litigation Positions.

Patent Owner properly seeks to obtain critical information regarding potentially unnamed RPIs to the instant proceeding. The request does not seek Meishan’s litigation positions and does not relate to Meishan’s litigation positions.

C. Equivalent Information Cannot Be Obtained Through Other Means

Meishan’s corporate structure and Meishan’s relationship to CRRC Meishan, CRRC Corporation Limited, CRRC Group Co., Ltd., SASAC, any entity of the

Chinese government, or the Chinese government itself is best known to Meishan and likely contained within its confidential records. Similarly, information relating to or identifying any connection or relationship between Meishan, CRRC Meishan, or Nextracker and Stanley Black & Decker, Inc. and any of the entities listed as an RPI for IPR2025-01581 is best known to Meishan, CRRC Meishan, or Nextracker and likely contained within the confidential records of one of the entities. Accordingly, equivalent information to the information sought in Patent Owner's narrowly tailored Discovery Request cannot be obtained by other means.

D. Patent Owner's Discovery Requests Are Defined By Easily Understandable Instructions

Patent Owner's Discovery Requests, set forth above, are narrowly tailored to the issues at hand. Furthermore, such Discovery Requests are easily understandable and commonplace for corporations such as Meishan and Nextracker.

E. Patent Owner's Discovery Requests Are Not Overly Burdensome

Patent Owner's Discovery Requests are not overly burdensome as they are narrowly tailored and only seek information relevant to limited RPI issues at hand in the instant IPR.

IV. Conclusion

For the foregoing reasons, good cause exists for granting Patent Owner's Motion for Additional Discovery.

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Respectfully submitted,

GREENBERG TRAURIG, LLP

/Trenton Ward/
Trenton Ward (Reg. No. 59,157)

Attorneys for Patent Owner

Date: March 27, 2026

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of this Motion for Additional Discovery has been served on the Petitioner at the following addresses:

Cyrus A. Morton

Li Zhu

ROBINS KAPLAN LLP

CMorton@RobinsKaplan.com

LZhu@RobinsKaplan.com

Respectfully submitted,
GREENBERG TRAURIG, LLP

Date: March 27, 2026

By: /s/ Trenton Ward
Trenton Ward (Reg. No. 59,157)
3333 Piedmont Road NE, Suite 2500
Atlanta, GA 30305
Telephone: 678-553-2470
Facsimile: 678-553-2100
trenton.ward@gtlaw.com
Counsel for Patent Owner