

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

IPR2026-00268
U.S. Patent No. 11,885,358

**PETITIONER'S SUR-REPLY TO PATENT OWNER'S REPLY
TO REQUEST FOR DISCRETIONARY DENIAL**

EXHIBIT LIST

Exhibit	Description
1031	
1032	Declaration of Zuo Zongyang (“Zongyang Decl.”)
1033	The 2016 Statistical Bulletin on Party Membership in the Communist Party of China (Original Chinese)
1034	The 2016 Statistical Bulletin on Party Membership in the Communist Party of China (English Translation)
1035	Translation Certification for The 2016 Statistical Bulletin on Party Membership in the Communist Party of China
1036	International Patent Application WO2004/102016 (“Kleinman”)
1037	Howmet Aerospace Inc.’s Patent Owner Preliminary Response in IPR2025-01581

I. INTRODUCTION

Howmet's Reply begins with a mischaracterization. It asserts that Meishan Fastening's Opposition "conceded" it is "majority owned by the Chinese government." Reply at 1. It did not. Rather, the Opposition summarized—and rejected—Howmet's own theory that indirect ownership through multiple corporate intermediaries establishes government control. Paper 19 ("Opp.") at 9.

Howmet's Reply proposes a categorical rule: that indirect government ownership alone establishes the ability to control an IPR. Reply at 1, 3–4. But Howmet never attempts to show that [REDACTED] [REDACTED] possessed authority to authorize, direct, veto, fund, or supervise this IPR. Instead, it asks the Director to infer control solely from indirect ownership. That is not the inquiry under *Tianma*, which held that percentage ownership is "not necessarily dispositive" of the RPI inquiry. By contrast, the undisputed record establishes that Meishan Fastening—not the Chinese government—alone authorized, funded, directed, and controls this IPR.

II. OWNERSHIP ALONE DOES NOT ESTABLISH CONTROL.

Having conceded that Meishan Fastening actually authorized, funded, directed, and controls this IPR, Howmet argues only that the Chinese government *could have* controlled it. Reply at 2–3. According to Howmet, because [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]. *Id.* at 4.

That is not the inquiry under *Tianma*. Even assuming [REDACTED]
[REDACTED], *Tianma* expressly held that “percentage ownership (whether greater or lesser than 10%) is not necessarily dispositive of the RPI inquiry.” *Tianma Microelectronics Co. v. LG Display Co.*, IPR2025-01579, Paper 12 at 8, n.6 (Director Mar. 18, 2026) (precedential). The RPI inquiry turns on the “totality of the evidence.” *Id.* at 9. Here, Howmet never rebuts the evidence that no entity in Meishan Fastening’s parent-subsidary chain possessed authority over this IPR.

Consistent with *Tianma*, the Board has repeatedly held that ownership alone does not establish control. The Board’s precedential decision in *Corning* held that “being the ultimate parent of Petitioner is not sufficient evidence, by itself, that [the parent] exerts control over these proceedings.” *Corning Optical Commc ’ns RF, LLC v. PPC Broadband, Inc.*, IPR2014-00440, Paper 68 at 22 (PTAB Aug. 18, 2015). Howmet never explains why, if ownership alone were sufficient, the Board there also relied on the parent’s retention and payment of counsel, participation in litigation decisions, and blurred corporate boundaries. *Id.* at 17–22. Here, Howmet identifies none of those facts. Its theory rests entirely on indirect ownership.

Likewise, the Board has consistently held that a parent-subsidary relationship, standing alone, does not establish RPI status. *See, e.g., Puzhen Life*

USA, LLC v. ESIP Series 2, LLC, IPR2017-02197, 2019 WL 994377, Paper 24 at 3–4 (PTAB Feb. 27, 2019); *Tesco Offshore Servs., Inc. v. Weatherford/Lamb Inc.*, IPR2018-01308, 2018 WL 6524387, Paper 19, at 20 (PTAB Dec. 10, 2018).

Howmet’s argument fails even under its own theory. [REDACTED]

[REDACTED]

[REDACTED]. EX2006; EX1032 ¶¶ 3, 6, 12–13; Opp. at 5–12. Howmet identifies no evidence— [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. The evidence establishes the opposite: Meishan Fastening alone possessed and exercised authority over this IPR. EX1032 ¶¶ 3–6, 12–13.

III. HOWMET’S REPLY MISCHARACTERIZES THE RECORD.

Howmet’s Reply also ignores the dispositive facts distinguishing this proceeding from *Tianma* and *Sun Pharmaceutical*. IPR2025-01579, Paper 12 at 8; PGR2026-00021, Paper 12 at 2–3. Unlike those cases, [REDACTED]

[REDACTED]

and the record establishes that no parent or government entity possesses authority to authorize, direct, veto, fund, or supervise this IPR. EX2006; EX1032 ¶¶ 3–15.

First, Howmet contends Meishan Fastening “failed to comply with the Discovery Order as Meishan now submits a new declaration from an alleged

employee of Meishan (Ex. 1032) and a 2016 Bulletin (Ex. 1033).” Reply at 1. The declaration and the 2016 Bulletin (a public document) were gathered for the Opposition after the deadline, not internal records responsive to the Order.

Second, the four-month interval between authorization and filing does not suggest another approval meeting occurred. [REDACTED]

[REDACTED]

[REDACTED]. EX1032 ¶ 11.

Third, Howmet incorrectly characterizes the Zuo Declaration as “conclusory.” Reply at 3. Unlike *Tianma*, Mr. Zuo’s testimony is corroborated by

[REDACTED]

[REDACTED]

[REDACTED]. EX2006; EX1032 ¶¶ 3–15.

The declaration also addresses the precise issue identified as missing in *Sun*—whether any entity possessed authority to control the IPR—and confirms none did. Howmet’s observation that Mr. Zuo signed his declaration in Chinese is irrelevant. Howmet also never sought a deposition, which would have confirmed those facts.

Finally, [REDACTED]

[REDACTED]

[REDACTED] EX2006, Arts. 26, 29. [REDACTED]

[REDACTED] EX1032 ¶¶ 14–15.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document and supporting exhibits were served on July 23, 2026 on the following IPR counsel via e-mail:

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