

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QD OXFORD UK LIMITED, and
QUANTUM DESIGN INTERNATIONAL INC.,
Petitioner,

v.

MAYBELL QUANTUM INDUSTRIES, INC.,
Patent Owner.

Case No. IPR2026-00291
Patent No. 12,313,320

PATENT OWNER'S SUPPLEMENTAL BRIEF

EXHIBIT LIST

Exhibit	Description
2001	U.S. Patent No. 9,699,266
2002	U.S. Patent No. 12,320,557
2003	Letter from A. Olejniczak to R. Pritzker <i>et al.</i> (August 28, 2025)
2004	U.S. Patent App. Pub. No. 2022/0221107
2005	U.S. Patent App. Pub. No. 2023/0008279
2006	Maybell Quantum, “Maybell Quantum Announces \$25M Series A Funding Led by Cerberus,” maybellquantum.com, Mar. 4, 2024. Available: https://www.maybellquantum.com/news/maybell-quantum-announces-25m-series-a-funding-led-by-cerberus . [Accessed: May 18, 2026]
2007	Maybell Quantum, “Maybell Quantum Closes \$40M Series B Led by Addition,” maybellquantum.com, Sept. 3, 2025. Available: https://www.maybellquantum.com/news/maybell-quantum-secures-40-million-series-b . [Accessed: May 18, 2026]
2008	U.S. Patent Publication No. 2021/0076530) (“Hart”)
2009	U.S. Patent No. 6,202,439 (“Mikheev”)
2010	Letter (with Exhibits) from A. Olejniczak to R. Pritzker <i>et al.</i> (August 28, 2025)

I. PETITIONERS' BELATED STIPULATION IS AN ABUSE OF THE DISCRETIONARY DENIAL PROCESS

Per the Director's Guidelines (§ I.D), "[i]f a petitioner chooses to file a ... *Sotera* stipulation, they should file it as soon as practicable, ***so that the patent owner may address the impact of the stipulation in its discretionary denial brief.***"

Petitioners did the opposite, filing their stipulation after Maybell's discretionary denial brief—while offering no exceptional circumstances for disregarding clear agency policy. The Office should not reward such abuse.

Petitioners brush aside the Director's guidance as "formalistic," but the prejudice to Maybell is concrete. Patent owners make their discretionary denial showing first, and any opposition is necessarily focused on responding to the patent owner's arguments. By holding the stipulation until the opposition, Petitioners ensured that Maybell could not address it in its opening submission, putting Maybell to additional expense, forcing Maybell to address the stipulation in a truncated second filing, and expanding and frustrating the otherwise simplified briefing that the Director must consider. Allowing Petitioners to disregard the Director's guidance would invite petitioner abuses in the future. Thus, Petitioners' stipulation should be given no weight. *Samsung Electronics Co. v. Netlist, Inc.*, IPR2026-00018, Paper 20, 3 (Dir. Apr. 28, 2026) (denying institution where petitioner filed stipulation after the patent owner's discretionary denial brief, thus preventing the patent owner from addressing the stipulation's impact in that brief).

Tesla v. Bulletproof, IPR2026-00204, Paper 14 (Dir. June 15, 2026), cited by Petitioners, supports Patent Owner. In *Tesla*, the Petitioner filed a *Sotera* stipulation **before** the patent owner’s discretionary denial brief, not afterward as Petitioners did here. *Compare* IPR2026-00204, EX1102 (filed Mar. 20, 2026) with IPR2026-00204, Paper 7 (filed Mar. 27, 2026).

Petitioners’ other citations are likewise unavailing. In *Wybotics, Co. Ltd. v. Zodiac Pool Sys. LLC*, IPR2026-00158, the Director found the petitioner’s stipulation “inadequate,” and the referral to the merits panel was driven by Examiner error. IPR2026-00158, Paper 12, 3-4 (May 6, 2026). *Tesla, Inc. v. Intellectual Ventures II LLC* was similar; the Board had already found “similar claims of an ancestor patent ... unpatentable.” IPR2025-00217, Paper 9, 2 (June 13, 2025). The referral in *Jesco Lighting Grp., LLC v. AGS Lighting Mgmt. LLC*, IPR2025-01328, Paper 9 (Nov. 20, 2025) was per an omnibus order with no reliance on the stipulation.

II. PETITIONERS’ STIPULATION IS AN ATTEMPT AT SLEIGHT OF HAND; SIGNIFICANT OVERLAP REMAINS

A stipulation can reduce overlap only to the extent it forecloses district court invalidity theories. Petitioners’ stipulation reserves their ability to rely on system art (*e.g.*, products) in the litigation unless combined with “any prior art reference asserted as the basis of a ground in this proceeding.” EX1018 at 2. System art, alone or in combination with any other reference, is **not** included in the stipulation.

Petitioners’ August 2025 pre-suit letter describes Petitioners’ own products (EX2003), demonstrating that system art is not a mere possibility—but something Petitioners intend to rely on in the litigation. These systems plainly overlap with the prior art submitted here (in patent form) of the exact same manufacturer.

For example, Petitioners’ letter cites a product brochure for the OptistatDry – 3 K Cryofree® Cryostat and a handbook for the Triton Cryofree Dilution Refrigerator, both products offered by Oxford Instruments. EX2010 at 341 (Exhibit 8), 344 (Exhibit 9).¹ Petitioners offer no explanation as to how their stipulation avoids duplicative effort between their products/systems cited in the letter and their own patents cited in the Petition’s grounds (*e.g.*, EX1007, EX1009).

Petitioners’ letter also cites an IBM dilution refrigerator (EX2010 at 348 (Exhibit 10)), overlapping with Chow (EX1011), an IBM patent underlying Ground 3 of the Petition, as well as Bluefors dilution refrigerators. EX2010 at 317 (Exhibit 6), 341 (Exhibit 8).

Given Petitioners’ intent to rely on overlapping patented system art, the stipulation is “not ... particularly meaningful because the efficiency gained in an AIA proceeding will be limited.” Director Discretionary Denial Guidelines § I.D.

Date: June 29, 2026

Respectfully submitted,
/Michael N. Rader/

Michael N. Rader, Reg. No. 52,146

¹ EX2010 includes the letter in EX2003 and the exhibits attached to the letter.

CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on June 29, 2026, a copy of the foregoing document, including any exhibits filed therewith, is being served via electronic mail, as previously consented to by Petitioner, upon the following:

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Date: June 29, 2026

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