

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

MAYBELL QUANTUM INDUSTRIES, INC.,
Patent Owner.

IPR2026-00291
U.S. Patent No. 12,313,320

**PETITIONERS' REPLY TO PATENT OWNER'S
SUPPLEMENTAL BRIEF**

Patent Owner’s supplemental brief contradicts long-standing Board practice and authority in seeking to give Petitioners’ broad *Sotera* Stipulation (Ex. 1018) “no weight.” It identifies no prejudice, no forfeiture rule, and no actual overlap warranting discretionary denial. Its theory rests on mischaracterized authority and speculation about future system-art theories. The Director should consider Ex. 1018 and refer the Petition for merits review.

I. PATENT OWNER SHOWS NO PREJUDICE OR FORFEITURE RULE

Patent Owner’s “abuse” argument hinges on purported prejudice that does not exist. Petitioners filed Ex. 1018 with their opposition. Patent Owner sought leave to respond; Petitioners did not oppose; and the Office authorized a 3-page supplemental brief to address the stipulation. Ex. 3100. Patent Owner filed that brief and identifies no argument or evidence that it was unable to present.

Patent Owner cites no decision holding that a stipulation filed with a petitioner’s opposition is untimely or must be disregarded, and Petitioners are aware of none. The Guidelines do not impose forfeiture and do not justify the sanction requested. *Samsung* does not support Patent Owner’s demands. There, the stipulation was submitted two weeks after the opposition and did not bind co-respondents in the parallel ITC investigation. *Samsung Electronics Co. v. Netlist, Inc.*, IPR2026-00018, Paper 20 at 2-3 (Dir. Apr. 28, 2026). Here, Ex. 1018 was

filed with the opposition, during discretionary-denial briefing; Patent Owner received supplemental briefing; and no comparable non-party carveout exists.

II. PETITIONERS' AUTHORITIES SUPPORT CONSIDERATION OF EX. 1018

Petitioners cited *Tesla v. Bulletproof* in which the Director held that “[t]he absence of a scheduled trial date and Petitioner’s broad stipulation reduces the concern of inconsistent outcomes or significant duplication of efforts.” *Tesla, Inc. v. Bulletproof Property Management, LLC*, IPR2026-00204, Paper 14 at 2-3 (Dir. June 15, 2026). Same here: the Delaware action has no trial date, no schedule, no claim-construction order, and no investment in the Petition’s invalidity issues. Paper 7 at 6. Patent Owner’s timing distinction is a red herring; Petitioners’ broad stipulation materially reduces duplication in an undeveloped district-court case.

Wybotics confirms that Petitioners’ stipulation is timely. In *Wybotics*, the Director considered a stipulation submitted with the opposition and recognized it would bind the petitioner if the merits warranted institution. *Wybotics, Co. Ltd. v. Zodiac Pool Sys. LLC*, IPR2026-00158, Paper 12 at 4 (Dir. May 6, 2026). Patent Owner’s adequacy argument is irrelevant. Petitioners are not advancing competing claim constructions. *Jesco* and *Tesla v. Intellectual Ventures II* likewise reject Patent Owner’s forfeiture theory: in both, a stipulation filed with the opposition did not result in discretionary denial. *Jesco Lighting Grp., LLC v. AGS Lighting Mgmt.*

LLC, IPR2025-01328, Paper 9 at 2 (Dir. Nov. 20, 2025); *Tesla, Inc. v. Intellectual Ventures II LLC*, IPR2025-00217, Paper 9 at 2 (Dir. June 13, 2025).

III. PATENT OWNER’S SYSTEM-ART ARGUMENT IS SPECULATIVE

Patent Owner’s claim that all “system art is not included” ignores the stipulation’s text. If institution is granted, Petitioners will not pursue the IPR grounds, any ground that reasonably could have been raised, or “any other ground based on a combination of system art with any prior art reference asserted as the basis of a ground in this proceeding.” Ex. 1018 at 2. That language expressly reaches system-art combinations using any IPR reference, and is broader than both statutory estoppel and an ordinary *Sotera* stipulation.

Patent Owner’s contrary argument is based on a Rule 408 pre-suit settlement communication that was sent on behalf of Oxford Instruments, not by Petitioners. Ex. 2010 at 1. The letter is not a district-court invalidity contention. Patent Owner identifies no served invalidity chart, no pending system-art ground, and no system-art combination that Petitioners remain free to pursue despite Ex. 1018 and that would duplicate the Petition.

Patent Owner’s examples prove only that the field contains substantial prior art. It offers no element-by-element analysis tying those materials to the IPR references. Patent Owner offers only speculation, not grounds for denial.

Date: July 2, 2026

Respectfully submitted,

/ Andrew J. Gray IV /

Andrew J. Gray IV, Reg. No. 41,796
MORGAN, LEWIS & BOCKIUS LLP

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), lead counsel for Petitioners hereby certifies that on July 2, 2026, a copy of this Petitioners' Reply to Patent Owner's Supplemental Brief was served on Patent Owner's counsel of record at the email correspondence addresses of record:

Michael N. Rader, MRader-PTAB@wolfgreenfield.com

Mark J. Consilvio, Mark.Consilvio@wolfgreenfield.com

Samuel L. Duskocil, Samuel.Duskocil@wolfgreenfield.com

Randy J. Pritzker, RPritzker-PTAB@wolfgreenfield.com

WGS-OxfordUKLtdv.Maybell.IPR@wolfgreenfield.com

Date: July 2, 2026

Respectfully submitted,

/ Andrew J. Gray IV /

Andrew J. Gray IV, Reg. No. 41,796
MORGAN, LEWIS & BOCKIUS LLP