

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BEATBOT TECHNOLOGY (USA) CO. LTD.,

Petitioner,

v.

ZODIAC POOL SYSTEMS LLC,

Patent Owner.

Case No. IPR2026-00395

U.S. Patent No. 11,003,191 B2

MOTION FOR JOINDER TO INTER PARTES REVIEW IPR2026-00158

TABLE OF CONTENTS

I.	STATEMENT OF THE PRECISE RELIEF REQUESTED	1
II.	STATEMENT OF MATERIAL FACTS.....	2
III.	ARGUMENT.....	4
A.	Legal Standard	4
B.	Beatbot’s Motion for Joinder Is Timely	5
C.	Every Factor Weighs in Favor of Joinder.....	5
1.	Joinder with the Wybotics IPR Is Appropriate	5
2.	Beatbot Proposes No New Grounds of Unpatentability	7
3.	Joinder Will Not Unduly Burden or Negatively Impact the Trial Schedule.....	8
4.	Procedures to Simplify Briefing and Discovery	9
D.	Beatbot Agrees to a “Silent Understudy” Role	10
E.	<i>General Plastic</i> Does Not Warrant Denial.....	11
1.	The Understudy Posture Effectively Neutralizes Follow-on or Serial Petition Concerns.	11
2.	Beatbot and Wybotics Are Separate, Unrelated Petitioners.	12
3.	The Director’s Examiner-Error Finding Confirms That Review Serves the Public Interest.....	12
F.	Estoppel Posture	13
IV.	CONCLUSION.....	15

I. STATEMENT OF THE PRECISE RELIEF REQUESTED

Petitioner Beatbot Technology (USA) Co. Ltd. (“Beatbot” or “Petitioner”) respectfully submits this Motion for Joinder, concurrently with a Petition (“Beatbot’s Petition” or the “conforming Petition”) for *inter partes* review of U.S. Patent No. 11,003,191 B2 (“the ’191 Patent”). Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. §§ 42.22 and 42.122(b), Beatbot requests institution of *inter partes* review and joinder with *Wybotics, Co. Ltd. v. Zodiac Pool Sys. LLC*, IPR2026-00158, Paper 13 (the “Wybotics IPR”), which the Board instituted on May 15, 2026.

Beatbot’s Petition is a “me-too” petition that is substantively identical to the petition in the Wybotics IPR. It challenges the same claims (claims 1–3 of the ’191 Patent), on the same grounds, based on the same prior art, and is supported by the same combined declaration of Dr. Charles F. Reinholtz (EX1010) that Wybotics submitted in the Wybotics IPR. Specifically, Beatbot’s Petition presents only the four grounds instituted in the Wybotics IPR: Ground 1a (Fu anticipates under § 102); Ground 1b (Fu renders obvious under § 103); Ground 1c (Fu in view of Benzler under § 103); and Ground 2 (Schnittman in view of Benzler under § 103). Beatbot raises no new grounds, no new arguments, and no new evidence, and seeks only to join the instituted proceeding as a passive “understudy.”

Because Beatbot’s Petition introduces nothing new, joinder will not burden the Board or Patent Owner, will not affect the existing trial schedule, and will lead to the efficient resolution of the validity of the ’191 Patent in a single proceeding.

II. STATEMENT OF MATERIAL FACTS

1. On July 17, 2025, Zodiac sent Beatbot a letter accusing Beatbot of infringing the ’191 Patent (among others).
2. On July 31, 2025, Beatbot filed a declaratory-judgment action against Zodiac in the U.S. District Court for the Southern District of California, *Beatbot Tech. (USA) Co. v. Zodiac Pool Sys. LLC*, No. 3:25-cv-01946 (S.D. Cal.) (the “SDCA Action”).
3. On November 25, 2025, Wybotics, Co. Ltd. filed its petition in the Wybotics IPR (IPR2026-00158, Paper 2), challenging claims 1–3 of the ’191 Patent under §§ 102 and 103 based on Fu, Schnittman, and Benzler.
4. On January 26, 2026, Beatbot filed its own petition for inter partes review of the ’191 Patent, IPR2026-00202, challenging claims 1–3. Beatbot’s IPR2026-00202 (Paper 2) petition relied on a different set of prior art (including Durvasula, Cui, Knoll, Renaud, and Fu-007).
5. On February 27, 2026, Beatbot filed a *Sotera*-plus stipulation in IPR2026-00202 (Paper 6), agreeing that, if and when the Board instituted that proceeding, Beatbot would not advance in the SDCA Action (i) the specific grounds raised in

IPR2026-00202; (ii) any other grounds that could reasonably have been raised before the PTAB (i.e., any § 102 or § 103 ground based on patents or printed publications); or (iii) any ground combining system prior art with such patents or printed publications.

6. On May 5, 2026, the Director denied Zodiac’s request for discretionary denial of the Wybotics IPR (IPR2026-00158, Paper 12), and on May 15, 2026 the Board instituted *inter partes* review of all challenged claims (IPR2026-00158, Paper 13). In rejecting discretionary denial, the Director found that the examiner had erred: Fu, though “listed on an information disclosure statement (“IDS”) considered by the examiner,” “plainly discloses” the feature the examiner identified as the basis for allowance, yet “was not applied in any rejection against the claims challenged . . . nor otherwise distinguished or discussed.” IPR2026-00158, Paper 12 at 2-3.

7. On May 19, 2026, the Director denied institution of IPR2026-00202 on discretionary and non-merits grounds, “after review of discretionary and non-merits considerations,” together with Beatbot’s companion petitions. IPR2026-00202, Paper 10. The Director did not deny IPR2026-00202 on the merits or for failure to meet the reasonable-likelihood threshold of § 314(a). *Id.*

8. On June 1, 2026, the Board issued its Scheduling Order in the Wybotics IPR (Paper 16), setting DUE DATE 1 (Patent Owner's response) for August 11, 2026, and the oral argument (DUE DATE 9) for February 18, 2027.

9. The SDCA Action remains stayed pending the Wybotics IPR proceedings.

10. Beatbot's conforming Petition and the Wybotics IPR petition are substantively identical: they present the same grounds, based on the same prior art and combinations, against the same claims, supported by the same expert testimony.

III. ARGUMENT

A. Legal Standard

Under 35 U.S.C. § 315(c), the Board may join as a party to an instituted *inter partes* review any person who properly files a petition that the Board determines warrants institution. A motion for joinder must be filed no later than one month after the institution date of the proceeding to which joinder is sought. 37 C.F.R. § 42.122(b).

In determining whether to exercise its discretion to grant joinder, the Board considers: (1) the reasons why joinder is appropriate; (2) whether the petition raises any new grounds of unpatentability; (3) what impact, if any, joinder would have on the trial schedule for the existing review; and (4) how briefing and discovery may be simplified. *Dell Inc. v. Network-1 Sec. Sols., Inc.*, IPR2013-

00385, Paper 17 at 3 (PTAB July 29, 2013); *Kyocera Corp. v. Softview LLC*, IPR2013-00004, Paper 15 at 4 (PTAB Apr. 24, 2013). As the moving party, Petitioner bears the burden of demonstrating that joinder is appropriate. 37 C.F.R. § 42.20(c).

B. Beatbot’s Motion for Joinder Is Timely

Joinder may be requested “no later than one month after the institution date of any *inter partes* review for which joinder is requested.” 37 C.F.R. § 42.122(b). The Board instituted the Wybotics IPR on May 15, 2026. IPR2026-00158, Paper 13. This Motion, filed concurrently with Beatbot’s Petition before June 15, 2026, is therefore timely.

C. Every Factor Weighs in Favor of Joinder

1. Joinder with the Wybotics IPR Is Appropriate

Joinder is appropriate because Beatbot’s Petition involves the same patent, challenges the same claims (claims 1–3 of the ’191 Patent), relies on the same testimony from the same expert (the Reinholtz declaration, EX1010), and is based on the same grounds and combinations of prior art submitted in the Wybotics petition. The conforming Petition is substantively identical to the Wybotics petition, containing only minor differences unrelated to the merits of the proposed grounds. Because these proceedings are substantively identical, good cause exists for joining this proceeding with the Wybotics IPR so that the Board can efficiently

resolve all grounds in a single proceeding. Moreover, the Wybotics petition presents compelling unpatentability challenges—as confirmed by the Director’s institution decision—and resolving those challenges in a single proceeding is in the interest of justice. *Code200 v. Bright Data Ltd.*, IPR2022-00861, Paper 19 at 39 (PTAB Oct. 19, 2022).

Joinder is especially appropriate because Beatbot is an accused infringer with an active, independent interest in the patentability of the ’191 Patent, and the Board routinely grants motions for joinder by accused infringers in view of co-pending litigation involving the same patent. *See, e.g., Apple Inc. v. INVT SPE LLC*, IPR2019-00958, Paper 9 at 2–13 (PTAB May 30, 2019); *Gen. Motors LLC v. Neo Wireless LLC*, IPR2023-00963, Paper 10 at 2–20 (PTAB Dec. 6, 2023); *Cooler Master Co. v. Asektek Danmark A/S*, IPR2023-00667, Paper 6 at 2–13 (PTAB Aug. 28, 2023). Patent Owner suffers no prejudice, because it must respond to the same common invalidity grounds regardless of joinder.

2. Beatbot Proposes No New Grounds of Unpatentability

Beatbot’s Petition presents no new grounds. It challenges the same claims of the same patent—and presents the unpatentability of those claims in the same way—on the same four grounds instituted in the Wybotics IPR: Fu (§ 102 and § 103), Fu in view of Benzler (§ 103), and Schnittman in view of Benzler (§ 103), relying on the same prior art, the same arguments, and the same Reinholtz declaration (EX1010), with the same exhibits and exhibit numbering preserved. The only differences between Beatbot’s Petition and the Wybotics petition are the non-substantive changes necessary to reflect the different petitioner (party name, real parties in interest, counsel, mandatory notices, and the numbering of Petitioner-unique exhibits).

The Board “routinely grants motions for joinder where the party seeking joinder introduces identical arguments and the same grounds raised in the existing proceeding.” *Samsung Elecs., Co. v. Raytheon Co.*, IPR2016-00962, Paper 12 at 9 (PTAB Aug. 24, 2016) (citation omitted). The same is true where, as here, the second petitioner relies on the same prior art, the same arguments, and the same evidence, including a substantively identical expert declaration. *See LG v. Memory Integrity, LLC*, IPR2015-01353, Paper 11 at 5–6 (PTAB Oct. 5, 2015); *STMicroelectronics, Inc. v. Lone Star Silicon Innovations, LLC*, IPR2018-00436, Paper 7 at 5 (PTAB May 4, 2018). And the Board has expressly approved the use

of a separate-but-substantively-identical expert declaration adopting the original expert's opinions. *See Everlight Elecs. Co. v. Document Sec. Sys., Inc.*, IPR2018-01260, Paper 12 at 6–7 (PTAB Nov. 14, 2018). Here, Dr. Janét's accompanying declaration does just that — it reviews and adopts the facts, analysis, and conclusions of the combined Reinholtz declaration and offers no new opinions.

3. Joinder Will Not Unduly Burden or Negatively Impact the Trial Schedule

Because Beatbot's Petition is substantively identical to the instituted petition, joinder will not affect the schedule in the Wybotics IPR. The Board instituted the Wybotics IPR only recently, on May 15, 2026, and issued its Scheduling Order on June 1, 2026. IPR2026-00158, Paper 13 & 16. There are no new issues for Patent Owner to address, and joinder "should not necessitate any additional briefing or discovery from Patent Owner beyond that already required in" the Wybotics IPR. *LG*, IPR2015-01353, Paper 11 at 6 (granting IPR and motion for joinder where "joinder should not necessitate any additional briefing or discovery from Patent Owner beyond that already required in [the original IPR]."); *see also id.*, Paper 4 at 5–7. Because Beatbot relies on the same expert and a substantively identical declaration, only a single deposition of the declarant is needed in the joined proceeding.

Joinder of this proceeding with the Wybotics IPR would not unduly burden or negatively impact the trial schedule in any meaningful way. Further, even if a

small adjustment of the trial schedule were necessary, this is already provided for in the rules and is a routine undertaking by parties in IPR proceedings. See 37 C.F.R. § 42.100(c). Thus, a slight adjustment in the trial schedule, should one be needed, is not enough of a reason to deny joining the present Instant Petition with the Wybotics IPR. Beatbot also agrees to adhere to all deadlines in the existing Scheduling Order (Paper 16), including DUE DATE 1 (August 11, 2026) through the oral argument (DUE DATE 9, February 18, 2027), and will take no action that would require any adjustment to those dates. To the extent any minor schedule adjustment were necessary, that is a routine matter expressly contemplated by the rules and is not a basis to deny joinder. 37 C.F.R. § 42.100(c).

4. Procedures to Simplify Briefing and Discovery

The Wybotics petition and Beatbot’s conforming Petition present substantively identical grounds—the same prior-art combinations against the same claims—so resolving them together in a single proceeding simplifies briefing and discovery and avoids duplicative filings, depositions, and effort by the Board and Patent Owner. To further ensure that joinder imposes no burden, Beatbot agrees to take a limited “silent understudy” role for so long as Wybotics remains a party, as set forth in § III.D below. The Board routinely grants joinder on these terms. *See Garmin Int’l, Inc. v. Philips N. Am. LLC*, IPR2020-00910, Paper 8 at 45, 47–50 (PTAB Nov. 19, 2020) (granting joinder where petitioner agreed to an understudy

role); *STMicroelectronics*, IPR2018-00436, Paper 7 at 5 (similar). By accepting an understudy role, Beatbot ensures that the Patent Owner and the Board can comply with the current trial schedule and avoid any duplicative effort.

D. Beatbot Agrees to a “Silent Understudy” Role

To eliminate any possible burden on the Board or Patent Owner, and consistent with the conditions the Board has approved, Beatbot agrees that, so long as Wybotics remains a party to the Wybotics IPR:

- (a) all filings by Beatbot in the joined proceeding will be consolidated with the filings of Wybotics, unless a filing solely concerns issues that do not involve Wybotics;
- (b) Beatbot shall not be permitted to raise any new grounds not already instituted by the Board in the Wybotics IPR, or introduce any argument or discovery not already introduced by Wybotics;
- (c) Beatbot shall be bound by any agreement between Patent Owner and Wybotics concerning discovery and/or depositions; and
- (d) Beatbot at deposition shall not receive any direct, cross-examination, or redirect time beyond that permitted for Wybotics alone under either 37 C.F.R. § 42.53 or any agreement between Patent Owner and Wybotics.

See Mylan Pharms. Inc. v. Novartis AG, IPR2014-00550, Paper 38 at 5 (PTAB Apr. 10, 2015). Beatbot will assume an active role only if Wybotics ceases to

participate in the Wybotics IPR. Beatbot will also abide by any additional understudy conditions the Board deems appropriate.

E. *General Plastic* Does Not Warrant Denial

Because Petitioner previously filed a petition challenging the same claims of the '191 Patent (IPR2026-00202), the Board may consider the *General Plastic* factors. *Gen. Plastic Indus. Co. v. Canon Kabushiki Kaisha*, IPR2016-01357, Paper 19 at 16 (PTAB Sept. 6, 2017) (precedential as to § II.B.4.i). Those factors do not support denial here.

1. The Understudy Posture Effectively Neutralizes Follow-on or Serial Petition Concerns.

Where a petitioner seeks only to join an instituted proceeding in an understudy role and raises no new grounds, the Board routinely grants institution and joinder. In *Webgroup Czech Republic, A.S. v. DISH Techs. L.L.C.*, IPR2025-00348, Paper 10 at 9–12 (PTAB June 11, 2025), the Board granted both institution and joinder because the follow-on petition was "substantially identical" to the instituted proceeding, relied on the same prior art grounds, and featured the exact same expert declarant. Because the *Webgroup* petitioner agreed to strict, passive "understudy" conditions—including consolidated filings, a prohibition on new grounds or arguments, and a waiver of additional deposition time—the Board held that the arrangement "promotes the just and efficient administration of the ongoing trial" without complicating the proceeding or straining the Board's finite resources.

Id. Beatbot's conforming Petition mimics this precise framework, entering as a passive copycat solely to preserve its rights in the event of a settlement between the original parties. Accordingly, the conforming Petition presents no "coordinated serial attack" or "roadmapping" of the kind *General Plastic* targets.

2. Beatbot and Wybotics Are Separate, Unrelated Petitioners.

Under *General Plastic* Factor 1 and *Valve Corp. v. Elec. Scripting Prods., Inc.*, IPR2019-00062, Paper 11 (PTAB Apr. 2, 2019) (precedential), the Board considers the relationship between different petitioners challenging the same patent. Beatbot and Wybotics are entirely separate accused infringers: Beatbot is litigating against Zodiac in the SDCA Action, while Wybotics is litigating in the Eastern District of Texas. The parties are not co-defendants, share no privity, and are not accused based on identical products. Factor 1 therefore does not favor denial, or is at most neutral.

3. The Director's Examiner-Error Finding Confirms That Review Serves the Public Interest.

In denying discretionary denial in the underlying proceeding, the Director noted that Wybotics provided a persuasive showing that the Office potentially erred during prosecution. IPR2026-00158, Paper 12 at 2, 4. Specifically, the examiner allowed the claims based on a controller/camera communication limitation that prior art reference Fu—which sat unapplied on an unexamined IDS—potentially discloses. *Id.* The Director expressly held that it is “an

appropriate use of Office resources to review the potential error identified above.”

Id. at 4. Resolving this identified prosecution oversight in a single, consolidated proceeding—with Beatbot joined in a passive understudy posture—directly advances the Board’s mandate to ensure patent quality while preserving finite administrative resources.

F. Estoppel Posture

Wybotics filed a stipulation in the Wybotics IPR on March 31, 2026 (EX1055), committing that if the Board instituted review, it would not pursue invalidity grounds with respect to the challenged claims under 35 U.S.C. §§ 102 or 103, or for indefiniteness, in its parallel district court litigations.

Upon joinder, Beatbot will become a party to the instituted Wybotics IPR and will accordingly be subject to the statutory estoppel of 35 U.S.C. § 315(e) as to the grounds raised or that reasonably could have been raised in that proceeding. To ensure efficiency and avoid any duplicative adjudication, Beatbot affirmatively stipulates that it will subject itself to the exact same estoppel as Wybotics. Specifically, Beatbot agrees that, upon joinder, it will not pursue invalidity grounds under 35 U.S.C. §§ 102 or 103, or for indefiniteness, against claims 1–3 of the ’191 Patent in the SDCA Action.

Beatbot’s own prior stipulation in IPR2026-00202 (Paper 6) was expressly conditioned on institution of that proceeding. Because the Director denied

institution of IPR2026-00202, that stipulation never took effect, and Beatbot currently carries no § 315(e) estoppel as to the '191 Patent. Beatbot understands and accepts that joining the instituted Wybotics IPR changes that posture. Beatbot's explicit agreement to mirror Wybotics' stipulation demonstrates that it seeks joinder in good faith and not as a vehicle to preserve duplicative invalidity or indefiniteness challenges for the district court.

G. The *Fintiv* Factors Favor Proceeding

Although the Board has already instituted the Wybotics IPR — such that the discretionary considerations under *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020) (precedential) are largely settled — the *Fintiv* factors independently confirm that proceeding is appropriate, and they weigh against any discretionary denial of Beatbot's conforming Petition.

The SDCA Action is stayed pending these IPR proceedings. With the litigation stayed, there is no trial date, and there is no risk that a district-court trial will precede the Final Written Decision (*Fintiv* Factors 1 and 2). The district court has invested minimal resources: the parties exchanged contentions and reached an agreed construction on the single disputed term, but no expert reports have been served and no depositions taken (Factor 3). Beatbot's understudy posture and the consolidated nature of the joined proceeding eliminate any duplicative adjudication (Factor 4). The parties to the SDCA Action and this proceeding are the same —

Beatbot and Zodiac (Factor 5). And the merits are strong, as confirmed by the Director's institution decision and examiner-error finding (Factor 6). Every *Fintiv* factor thus weighs against discretionary denial or is neutral.

IV. CONCLUSION

For the foregoing reasons, Beatbot respectfully requests that the Board institute *inter partes* review on Beatbot's conforming Petition and grant this Motion for Joinder with IPR2026-00158, joining Beatbot as a party in a silent understudy role.

Dated: June 5, 2026

PERKINS COIE LLP
11452 El Camino Real, Suite 300
San Diego, CA 92130

Respectfully submitted,

/Kyle R. Canavera /

Lead Counsel
Kyle R. Canavera, Reg. No. 72,167

Back-up Counsel
Wei Yuan, Reg. No. 71,772
Bing Ai, Reg. No. 43,312
Babak Tehranchi, Reg. No. 55,937
Xiaobing Zhang, Reg. No. 63,927

Attorneys for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing
PETITIONER’S MOTION FOR JOINDER TO INTER PARTES REVIEW
IPR2026-00158 (and the accompanying Petition and supporting materials) has
been served in its entirety by electronic mail on counsel for the petitioner in
IPR2026-00158 and on counsel of record for Patent Owner:

Counsel for Wybotics, Co. Ltd. (petitioner in IPR2026-00158) — Jones Day:

Matthew W. Johnson — mwjohnson@jonesday.com

Joshua R. Nightingale — jrnightingale@jonesday.com

Adam J. Cook — acook@jonesday.com

**Counsel for Patent Owner Zodiac Pool Systems LLC — Kilpatrick Townsend
& Stockton LLP:**

Michael T. Morlock — mmorlock@ktslaw.com

Christopher S. Leah — cleah@ktslaw.com

Dated: June 5, 2026

By: /Anita Chou/
Anita Chou
Paralegal