

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UATP IP, LLC,
Petitioner,

v.

SLICK SLIDE LLC,
Patent Owner.

Case PGR2024-00054
U.S. Patent No. 11,998,854

PATENT OWNER'S MOTION FOR ADDITIONAL DISCOVERY

LIST OF EXHIBITS

Exhibit Number	Description
EX2001	UATP information (https://www.urbanair.com/attractions/indoor-slide-park/)
EX2002	Murakami website (https://murakamiscreeen.com/murakami-product/mesh-adhesives/)
EX2003	Fiber-on-fiber friction measurement using hanging fiber, Azam Alirezazadeh
EX2004	Mesh, Merriam-Webster.com (retrieved from https://merriam-webster.com/dictionary/mesh)
EX2005	Sheeting, Merriam-Webster.com (retrieved from https://merriam-webster.com/dictionary/sheeting)
EX2006	Mesh, The Fairchild Books Dictionary of Textiles
EX2007	Sheeting, The Fairchild Books Dictionary of Textiles
EX2008	Sailcloth, Merriam-Webster.com (retrieved from https://merriam-webster.com/dictionary/sailcloth)
EX2009	Canvas, The Fairchild Books Dictionary of Textiles
EX2010	Burlap, The Fairchild Books Dictionary of Textiles
EX2011	Sailcloth, The Fairchild Books Dictionary of Textiles
EX2012	Jute Burlap (retrieved from https://fabricwholesaledirect.com/products/standard-10-oz-jute-burlap-60-inch-fabric)
EX2013	ASTM G115 (retrieved from https://www.astm.org/standards/g115)
EX2014	https://koyo.jtekt.co.jp/en/support/bearing-knowledge/8-4000.html
EX2015	The coefficient of friction of cartilage (Forsey, 2006)
EX2016	ASTM D1894 (retrieved from https://www.astm.org/d1894-24.html)
EX2017	ASTM D883 (retrieved from https://www.astm.org/d0883-24b.html)
EX2018	ASTM F1918 (retrieved from https://www.astm.org/f1918-21.html)
EX2019	Lower weight sailcloths (retrieved from https://www.sailrite.com/shop/fabric/marine-fabric/sailcloth)
EX2020	The weights of the fabrics (retrieved from https://www.kayospruce.com/facts-measurements for the standard conversion of sailcloth weight from g/m ² to ounces)
EX2021	Nylon (retrieved from https://www.mcmaster.com/products/nylon-film/)

EX2022	Dacron (retrieved from https://foammart.com/product/dacron-roll/ and https://foamforyou.com/outdoor-dacron-foam?srsltid=AfmBOopu-5B9zLoVKgtjlSp9uUPDfGx7ckTQs_Khck86n0hnBeGTmUuH)
EX2023	Molybdenum disulfide, Vazirisereshk, M.R. et a, “Solid lubrication with MoS ₂ : A Review, Lubricants
EX2024	Diamond-like carbon, Berman, D., “Graphene: a new emerging lubricant,” Materials Today
EX2025	Static friction coefficient of some plastics against steel and aluminum under different contact conditions, Benabdallah, Science Direct
EX2026	Expert Declaration of Dr. Stephen Spiegelberg
EX2027	Expert Declaration of Dr. Jon Rust
EX2028	Email authorizing patent owner's motion to submit supplemental information
EX2029	Deposition Transcript of Dr. Youjiang Wang, dated August 20, 2025
EX2030	Supplemental Expert Declaration of Dr. Stephen Spiegelberg
EX2031	Supplemental Expert Declaration of Dr. Jon Rust
EX2032	A Complete Guide to Mesh/Netting Fabric (retrieved from https://www.apexmills.com/media_post/a-complete-guide-to-mesh-netting-fabric/)
EX2033	Declaration of Mr. Gary Schmit
EX2034	Z. Chen, R. Feng & H. Wang, <i>Modeling Friction and Air Effects between Cloth and Deformable Bodies</i> (2013) (retrieved from http://www.zhilichen.com/research/air_friction/2013-MFA.pdf).
EX2035	K.A. Beyene & V.R. Sampath, <i>Modeling Surface Roughness for Prediction and Evaluation of Bed-Sheet Woven Fabric</i> , Int’l Conf. Proc. CTA 2019, Ethiopia.
EX2036	S. Islam, S. Chowdhury & S. Akter, <i>The Experiential Analysis of Woven Fabric for Reproduction</i> , 4 J. Textile Sci. & Tech. 18 (2018).
EX2037	R.K. Upadhyay & A. Kumar, <i>A Novel Approach to Minimize Dry Sliding Friction and Wear Behavior of Epoxy by Infusing Fullerene C70 and Multiwalled Carbon Nanotubes</i> , 120 Tribology Int’l 455 (2018).
EX2038	J. Tian, X. Qi, C. Li & G. Xian, <i>Friction Behaviors and Wear Mechanisms of Multi-Filler Reinforced Epoxy Composites Under Dry and Wet Conditions: Effects of Loads, Sliding Speeds, Temperatures, Water Lubrication</i> , 179 Tribology Int’l 108148 (2023).
EX2039	Slick Slide Coefficient of Friction Test Data
EX2040	Slick Slide Ride Vehicle Mesh Layer Open Area Data

EX2041	Slick Slide Ride Vehicle Mesh Layer Warp and Weft Data
EX2042	Indoor Action Park Coming to Polaris (retrieved from https://columbusunderground.com/indoor-action-park-coming-to-polaris-ak1/)
EX2043	Slick Slide Webpage (retrieved from https://slickslide.com/indoor-slides/)
EX2044	Slick City Action Park About Us Webpage (retrieved from https://slickcity.com/about/)
EX2045	Industry Praise
EX2046	Coextensiveness Claim Chart
EX2047	Patent Owner's Demonstratives
EX2048	Stephen Polozola LinkedIn page (retrieved from https://www.linkedin.com/in/spolozola/)
EX2049	Unleashed Brands Organizational Chart (retrieved from https://theorg.com/org/unleashed-brands/org-chart/stephen-polozola)
EX2050	Unleashed Brands LinkedIn page (retrieved from https://www.linkedin.com/company/unleashed-brands/people/?keywords=counsel)
EX2051	Unleashed Brands Leadership Changes (retrieved from https://www.franchising.com/news/20250108_unleashed_brands_announces_key_executive_leadership_changes.html)
EX2052	Farheen Ibrahim Texas Attorney (retrieved from https://mytexasdefenselawyer.com/attorney-profiles/Farheen-ibrahim-24081988)
EX2053	Franchise Tax Account Statuses (retrieved from https://comptroller.texas.gov/taxes/franchise/account-status/search/32093646613 ; https://comptroller.texas.gov/taxes/franchise/account-status/search/32051163296 ; and https://comptroller.texas.gov/taxes/franchise/account-status/search/32052366435)

I. INTRODUCTION

The Squires October 28, 2025 Memorandum (“Squires Memorandum”) designates *Corning Optical Communications RF, LLC v. PPC Broadband Inc.*, IRP2014-00440, Paper 68 (PTAB Aug. 18, 2015) (except for § II.E.1) (“*Corning Optical*”) precedential, and in doing so confirms that before trial can be instituted and before a petition may even be considered, all real parties in interest (“RPI”) must be identified pursuant to 35 U.S.C. § 312(a)(2). As such, and as emphasized by the Squires Memorandum, “§ 312(a)(2) requires addressing properly raised issues about a petitioner’s RPI identification.”

Notably, *Corning Optical* addressed a motion for discovery directed to RPI identification after institution. (*Corning Optical*, Paper 68 at 2). Still, the discovery after institution revealed that an RPI should have been but was not identified, and Patent Owner’s Motion to Dismiss was granted. *Id.* at 25.¹

The discovery Patent Owner seeks through this Motion is directed solely to Petitioner’s RPI identification. It is also narrow in scope, and narrower than the discovery in *Corning Optical*. Therefore, and as is further explained below, Patent Owner has demonstrated good cause as set forth in 37 C.F.R. § 42.224(a) and applied in *SWM International, LLC et al v. DynaEnergetics Europe GmbH*

¹ Patent Owner acknowledges *Aylo Freesites Ltd v. Dish Technologies L.L.C.*, IPR2024-00940, Paper 71 (PTAB January 9, 2026), which appears to conflict with *Corning Optical*. *Id.* at 8.

(PGR2021-00097) (Paper 79) (“SWM”) and *Bloomberg Inc. v. Markets-Alert Pty Ltd.*, Case CBM2013-00005 (PTAB May 29, 2013) (Paper 32) (Precedential) (“*Bloomberg*”), for this narrowly tailored discovery.

II. BACKGROUND FACTS

Based on comments made by counsel for Petitioner during the deposition of Patent Owner’s representative, Mr. Gary Schmit, Petitioner notified Patent Owner that “corporate counsel” was involved in, and being consulted in connection with, this proceeding. Counsel for Petitioner has yet to identify the corporate counsel.

Immediately following this triggering event, Patent Owner investigated whether the Petition properly identifies RPIs. Patent Owner promptly investigated Petitioner’s corporate counsel, determining that there are many corporate counsel who may be loosely associated with Petitioner and its complex corporate web structure. For example, Messrs. Stephen Polozola, Mark McAndrew, Farheen Ibrahim hold themselves out as counsel for Unleashed Brands, LLC. (*See, e.g.*, EX2048-2050). Patent Owner was not able to identify information connecting Polozola, McAndrew, or Ibrahim, with either of the two entities identified as RPIs in the Petition, *i.e.*, UATP IP, LLC, and UATP Management LLC.

Since that time, in connection with its Reply (Paper 27), Petitioner updated its RPI disclosure “purely for the avoidance of doubt.” *Id.* at 35. Petitioner identified eight entities as RPIs that were not identified when the Petition was

filed. *Id.* Those eight entities are identified by Petitioner as “parent entities of Petitioner” and “additional subsidiaries.” *Id.* Unleashed Brands, LLC is identified as one of the “parent entities of Petitioner.” *Id.*

Petitioner also identified entities “that are unrelated to the business of UATP Management, LLC.” According to Petitioner, because these latter entities are unrelated to the business of UATP Management, LLC, they are “accordingly not RPIs.” *Id.* at 35-36. The eight entities that are the subject of Petitioner’s updated RPIs are therefore presumably related to UATP Management, LLC.

The corporate web of which all of these entities are a part, and at least Polozola’s involvement, is now even more confusing based on a recent submission by Petitioner. To explain, EX1071 is a sworn declaration from Polozola, whereby he represents that he is the Chief Legal Officer of UATP Management, LLC and UATP, LLC. Under Polozola’s signature and title of Chief Legal Officer appears only “UATP Management, LLC” and “UATP, LLC.” *Id.* at page 3/57.

Despite the fact that Polozola represents himself as Chief Legal Officer of only UATP Management, LLC and UATP, LLC, the “Joint Written Consent” attached to his declaration demonstrates he is much more. There, Polozola is identified as the Chief Legal Officer “of each entity listed on Schedule I.” *Id.*, 4/47. Schedule I, in turn, identifies nineteen (19) entities. *Id.*, 56/57. These nineteen entities for which Polozola is the Chief Legal Officer includes Unleashed Brands,

LLC. *Id.* In sum, Polozola is not simply Chief Legal Officer of UATP Management, LLC and UATP, LLC, as set forth and sworn to in his declaration.

There are additional blurring aspects of Petitioner's disclosures. For example, the sole member of both of the RPI's named when the Petition was filed, UATP Management, LLC and UATP, LLC, is Unleashed Brands, LLC. EX1071, 36-37/57. Otherwise stated, Unleashed Brands, LLC is the sole member of and sole controlling force behind both of the RPI's named when the Petition was filed. Polozola is not identified as Chief Legal Officer of Unleashed Brands, LLC in his declaration, but is identified as such in the Joint Written Consent.

Patent Owner also notes that the corporate structure between Unleashed Brands, LLC on the one hand and UATP Management, LLC and UATP, LLC on the other hand, is further blurred by other corporate information. For example, all three entities share the same "Registered Office Street Address." EX2053.

III. THE NARROWLY TAILORED DISCOVERY REQUESTED BY PATENT OWNER

Using the discovery in *Corning Optical* as a template, and narrowing it, Patent Owner ensured that all discovery requested relates directly to establishing the nature of the relationships among the entities named by Petitioner in its Reply and the named RPIs, and whether Petitioner was obligated to name additional entities as RPIs. This limited, narrowly tailored discovery will demonstrate whether any entities (through their officers and employees) other than UATP

Management, LLC and UATP, LLC either funded, controlled the filing or conduct of, or could have exercised control of, this proceeding. *Corning Optical*, 2, 14. It also demonstrates whether Petitioner’s actions “have blurred sufficiently the lines of corporate separation with an unnamed entity, such that the entity could have controlled the filing and participation of the [PGRs].” *Id.*, 15.

The narrow scope of the discovery sought is:

1. Identify the name(s) of all corporate counsel who was/were considering or intending to be present at any deposition in the PGR, all titles of the individual(s), the entity(ies) with whom the individual(s) is/are employed, and the entity(ies) from whom the individual(s) receives compensation, and provide documents sufficient to confirm this information and the dates relating thereto.
2. Identify and produce documents sufficient to identify all individuals and entities to which outside counsel for Petitioner in the PGR has directed invoices in connection with services rendered in the PGR, all individuals and entities that have sent payment to outside counsel or experts, and the dates relating thereto.²
3. Identify and produce documents sufficient to identify all individuals and entities who have been consulted in connection with, or provided direction to counsel for Petitioner in, the PGR, including all individuals and entities that have been sent PGR papers, have reviewed PGR papers, or have provided comments to PGR papers, or that are mentioned in any time entry narratives sent by outside counsel, and for each individual provide the information and documents requested in item 1.

² Petitioner has provided limited information relating to the entities that have sent payment to outside counsel. However, the limited information does not provide any of the information requested in discovery items (1) or (3), and does not provide the remaining information requested in discovery item (2), including to whom PGR invoices have been sent or expert payment information.

IV. ARGUMENT

A. Legal Standard

The Board may grant discovery of “evidence directly related to factual assertions advanced by either party” in a PGR upon a “showing of good cause as to why the discovery is needed.” 37 C.F.R. § 42.224. This is a less exacting standard than the “in the interests of justice” standard applied in IPRs. *See Bloomberg* at 2-3.

The PTAB has authorized RPI discovery when a related entity appears to have a role in directing, controlling, or funding a parent company’s actions in a post-grant proceeding. *Corning Optical; Cox Commc’ns, Inc. v. AT&T Intellectual Prop. I, L.P.*, IPR2015-01187 (Feb. 2, 2016) (Paper 26) (“*Cox Commc’ns*”). The discovery allowed in *Corning Optical* and *Cox Commc’ns* is broader than that sought by Patent Owner here. *Id.* The PTAB has also authorized additional RPI discovery when lines between a parent company and its subsidiary are blurred. *Corning Optical; Zerto, Inc. v. EMC Corp.*, IPR2014-01254 (Nov. 25, 2014) (Paper 15) (“*Zerto*”). In *Zerto*, the PTAB granted discovery relating to RPI and even ordered the deposition of Petitioner’s representative. *Id.*

B. The Evidence Sought Is Related To Factual Assertions Advanced

There can be no reasonable dispute that the evidence sought here is directly related to the factual assertions of both Parties. In its Petition, Petitioner identified and thereby asserted that UATP Management, LLC and UATP, LLC were the only

RPIs. In doing so, Petitioner asserted that other entities, including Unleashed Brands, LLC, were not RPIs. More recently, Petitioner has asserted that numerous other entities needed to be identified as RPI's. Paper 27, 35.

Patent Owner asserts that the other entities, including Unleashed Brands, LLC, are RPIs. Patent Owner also asserts that all RPIs had to be named as such in connection with, and at the same time as, the filing of the Petition. Specifically, Patent Owner asserts that the Squires Memorandum confirms that before trial can be instituted and before a petition may even be considered, all RPIs had to be identified pursuant to 35 U.S.C. § 312(a)(2). Patent Owner asserts that Petitioner failed to do so, such that this proceeding should be dismissed. As the Board stated in *Corning Optical*, even if Petitioner was permitted to amend its Petition, the Petition must be given a new filing date. *Corning Optical*, at 24. Here, any such new filing date would be time-barred per 37 CFR § 42.202(a).³

C. There Is Good Cause As To Why The Discovery Is Needed

In post-grant review proceedings, the Board assesses five factors in considering requests for additional discovery: (1) more than a possibility and mere allegation that something useful will be discovered; (2) requests that do not seek other parties' litigation positions and the underlying basis for those positions; (3)

³ If warranted by the discovery sought herein, Patent Owner intends to request leave to file a motion to terminate based on Petitioner's failure to comply with 35 U.S.C. § 312(a)(2). Patent Owner does not anticipate that leave to file a motion to extend the final deadline of this proceeding (see 35 U.S.C. § 326(a)(11) and 37 CFR § 42.200(c)), will be required, but respectfully brings this to the Board's attention at this time.

ability to generate equivalent information by other means; (4) easily understandable instructions; and (5) requests that are not overly burdensome to answer. *SWM*, at 4-9; *Bloomberg*, at 4-5. Here, while not required, all of these factors are satisfied.

Factor 1: There are specific factual reasons for expecting that the discovery will be “useful.” *See SWM* at 4; *Bloomberg* at 5. This means that the discovery is “favorable in substantive value to a contention of” Patent Owner. *See SWM* at 4.

First, the Squires Memorandum confirms that if Petitioner failed to identify all RPIs in connection with, and at the same time as, the filing of the Petition, then this proceeding should be dismissed. That is because before trial can be instituted and before a petition may even be considered, all RPIs had to be identified pursuant to 35 U.S.C. § 312(a)(2).

As noted above, Unleashed Brands, LLC appears to be the sole member and sole controlling force behind the named RPI’s. EX1071, 36-37/57. Unleashed Brands, LLC is also the parent of at least one of the named RPIs. (Paper 27, 35). In addition, Polozola, McAndrew, and Ibrahim appear to be Chief Legal Officers of Unleashed Brands, LLC and many other entities related to the named RPIs, and yet none of these other entities were named in connection with the Petition. Notably, Polozola’s declaration is silent as to these facts.

The discovery sought relating to these matters is directly relevant to whether there is an RPI that should have been, but was not, named when the Petition was

filed. *Copperweld Corp. v. Indep. Tube Corp.*, 467 U.S. 752, 772 (1984) (“A parent and its wholly owned subsidiary have a complete unity of interest. Their objectives are common, not disparate; their general corporate actions are guided or determined not by two separate corporate consciousnesses, but one.”); *Zoll Lifecor Corp. v. Philips Elecs. N. Am. Corp.*, Case IPR2013-00609 (PTAB Mar. 20, 2014) (Paper 15) (holding a parent is a real party-in-interest of its subsidiary). Patent Owner contends that Petitioner failed to identify all RPIs, such that trial should not have been instituted and that this proceeding should be dismissed. The discovery sought relates directly and narrowly to this RPI issue. And, if the discovery demonstrates that an entity other than UATP Management, LLC and UATP, LLC funded, controlled, or could have exercised control of, this proceeding, then that discovery would be favorable to Patent Owner’s contention. *Corning Optical*, 2, 14.

Second, there is much more than the mere possibility of finding something useful through the narrow discovery being sought. *See SWM* at 4. That is because Patent Owner has already presented evidence that at least Unleashed Brands, LLC is an RPI. Polozola, McAndrew, and Ibrahim consistently hold themselves out as counsel for Unleashed Brands, LLC. EX2048-2052. At the same, Patent Owner was not able to identify any information connecting Polozola, McAndrew, or Ibrahim, with either of the two entities, UATP IP, LLC, and UATP Management LLC, identified as a RPIs in the Petition.

In addition, Patent Owner has demonstrated a contradiction between Petitioner's representations. Polozola is the Chief Legal Officer of Unleashed Brands, LLC. Yet, Polozola has not been forthcoming with respect to his status as Chief Legal Officer of Unleashed Brands, LLC (the sole controlling of both RPIs named when the Petition was filed), having only identified himself as Chief Legal Officer of UATP IP, LLC and UATP Management, LLC in his declaration. This gamesmanship by Petitioner further warrants the requested discovery.

The fact that Patent Owner already has in its possession evidence tending to show Unleashed Brands, LLC's involvement in this proceeding, including as the sole controlling force behind both of the RPI's named when the Petition was filed, suggests that this factor has been satisfied. *See SWM* at 5. Indeed, possession of this evidence is not required to satisfy this factor in connection with a PGR, but nonetheless Patent Owner has this evidence. *Id.*

Third, Patent Owner has demonstrated that information regarding the proper RPIs is reasonably likely to be discussed and found in the discovery sought. In particular, discovery item (1) seeks information regarding corporate counsel who was/were considering or intending to be present at any deposition in the PGR, which by necessity would suggest that such corporate counsel controlled the conduct of, or could have exercised control of, this proceeding. *Corning Optical*, 2, 14. Discovery item (2) seeks information regarding invoices and payments in

connection with services rendered in the PGR, which by necessity would suggest funding and control of the proceeding. *Corning Optical*, 2, 14. Discovery item (3) seeks information regarding individuals and entities who have been consulted in connection with, or provided direction to counsel for Petitioner in, the PGR. This includes individuals or entities that are mentioned in any time entry narratives, and this information by necessity shows which entities controlled the filing or conduct of, or could have exercised control of, this proceeding. *Corning Optical*, 2, 14.

As a result, RPI information is reasonably likely to be found in the discovery sought. It follows that this factor is satisfied. *See SWM* at 6; *Kashiv Pharma LLC v. Purdue Pharma L.P.*, Case IPR2018-00625 (PTAB July 31, 2018) (Paper 20) (granting patent owners’ motion for additional discovery where patent owners identified several pieces of “threshold” evidence that tended to show that the additional discovery sought would shed light on the question of whether an additional party should have been named as a real party-in-interest).

Factor 2: Under *Bloomberg* factor 2, the Board assesses whether the discovery seeks the other party’s litigation positions and the underlying basis for those positions. *See SWM* at 7; *Bloomberg*, Paper 32 at 5 (“Asking for the other party’s litigation positions and the underlying basis for those positions is insufficient to demonstrate that the additional discovery is necessary for good cause.”).

Applied here, Patent Owner is not seeking Petitioner's litigation positions or the underlying basis for those positions. The discovery Patent Owner seeks is limited to names of individuals intending to be present at any deposition and documents sufficient to identify their employment status (discovery item (1)), the names of individuals and entities involved in payments in connection with services rendered in the PGR (discovery item (2)), and names of individuals and entities who have been consulted in connection with, or provided direction to counsel for Petitioner in, the PGR (discovery item (3)), and documents reflecting same. Names and employment details are not in any manner related to Petitioner's litigation positions or the underlying basis for those positions.

To the extent that responsive documents reveal Petitioner's litigation positions or the underlying basis for those positions, Patent Owner specifically requests that Petitioner be allowed to redact any such information. In addition, the protective order governing this proceeding further protects Petitioner's information.

Because the discovery sought does not involve in any manner Petitioner's litigation positions or the underlying basis for those positions, this factor is satisfied. *See SWM* at 7.

Factor 3: Under *Bloomberg* factor 3, the Board assesses whether Patent Owner, as the moving party, has the ability to generate by other means information equivalent to that sought. *See Bloomberg*, Paper 32 at 5 ("A party should not seek

information that reasonably can be generated without a discovery request.”).

Applied here, there can be no reasonable argument that the discovery sought can only be obtained from Petitioner. Only Petitioner has in its possession the names of individuals intending to be present at any deposition and documents sufficient to identify their employment status (discovery item (1)), the names of individuals and entities involved in payments in connection with services rendered in the PGR (discovery item (2)), and names of individuals and entities who have been consulted in connection with, or provided direction to counsel for Petitioner in, the PGR (discovery item (3)). Petitioner, as a party to this dispute, is the next and only logical source for the narrow discovery sought by Patent Owner.

Because this information can only be obtained from Petitioner, Patent Owner cannot generate the equivalent information by other means. Indeed, the only information Patent Owner can obtain, which is from public sources, has already been obtained and disclosed. *See* EX2048-2053.

In sum, Patent Owner does not have the ability to generate by other means information equivalent to that sought, and the information must be obtained from Petitioner. As such, this factor is satisfied. *See SWM* at 8.

Factor 4: Under *Bloomberg* factor 4, the Board determines whether the moving party has provided easily understandable instructions. *See Bloomberg*, Paper 32 at 5. Applied here, the discovery requests are specific, narrowly tailored,

and easily understandable. In addition, Petitioner already knows of and possesses the requested information. The requested information is also limited to names of specific individuals, along with readily retrievable documents, *e.g.*, a few employment agreements (discovery items (1) and (2)), a few payment related documents (discovery item (2)), and (redacted) communications and time entries relating to this PGR (discovery item (3)). As such, factor 4 weighs in favor of the requested additional discovery.

Factor 5: Under *Bloomberg* factor 5, the Board determines whether the requests are overly burdensome to answer. Applied here, there are only three requests. And, as explained above, the requested information is limited to names of specific individuals, along with readily retrievable documents.

Petitioner should easily be able to identify those individuals who considered attending a deposition in this matter. Petitioner should also easily be able to identify those individuals who were involved in payments, and those who were consulted or otherwise received or commented on PGR papers. And those searches should result in a manageable number of results that will not be financially burdensome nor a burden on human resources.

In like manner, all of the requested documents should be able to be retrieved within a short time, and any necessary redactions can be easily and electronically applied. The documents only require an easy search of communications relating to

payments and PGR papers. Such documents are easily obtained, and discovery of such information has been allowed. *See, e.g., Medtronic, Inc. v. Robert Bosch Healthcare Sys., Inc.*, Case IPR2014-00488 (PTAB Nov. 5, 2014) (Paper 25) (granting additional discovery of information pertaining to real party-in-interest that was narrowly tailored to communications “regarding the preparation or filing of the Medtronic IPRs”); *see also Corning Optical*. The requested discovery is also narrower than that in *Corning Optical*.

Further, the Protective Order in place in this proceeding addresses any concerns about Petitioner’s information. And, Petitioner is more than capable of redacting information that is not sought by the discovery requests. As such, factor 5 weighs in favor of the requested additional discovery.

VI. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board order Petitioner to produce the requested additional information.

Respectfully submitted,

Dated: January 16, 2026

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on January 16, 2026, a complete and entire copy of this Patent Owner's Motion For Additional Discovery was provided via email, to the Petitioner by serving the email correspondence addresses of record as follows:

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