

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD.,  
Petitioners,

v.

PANTECH CORPORATION,  
Patent Owner

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**Case: IPR2025-00637**

**U.S. Patent No. 9,763,283**

**PATENT OWNER'S SUPPLEMENTAL BRIEF IN SUPPORT OF  
REQUEST FOR DISCRETIONARY DENIAL OF INSTITUTION**

Mail Stop **Patent Board**  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Petitioner’s supplemental brief does not change that discretionary denial is warranted based on the totality of the evidence here. Although the court vacated the trial date, the record shows the case is moving efficiently toward trial. The amended DCO (EX1035) maintains a firm pretrial conference and all previously set pretrial deadlines, expressly stating that the “trial date will now be set following the pretrial conference” (EX1034). It makes clear these adjustments are to “resolve as many issues as possible during pretrial to ensure the trial presentations are fully developed, appropriately disclosed, and efficiently delivered” (EX1034). There is no indication of undue delay or that trial will be postponed beyond the District’s typical schedule—the trial was previously set just twenty days after the pretrial conference.

Petitioner’s speculation that trial will not occur until December 2026 or later is unsupported. The Eastern District is known for efficiently handling patent cases, and the court’s actions here reflect a desire to streamline—not delay—proceedings. The pretrial conference is *still* set for April 2026, and it is routine for trial to be scheduled promptly thereafter. Petitioner’s claim that the absence of a set trial date weighs “heavily against discretionary denial” is contrary to the facts.

Petitioner’s stated intention to seek a stay is speculative and irrelevant. No stay has been granted, and one is unlikely to be granted due to the advanced stage of the case and continued progress toward trial. The complexity of the case further supports the court’s approach to ensure a fair and efficient trial, not to delay it.

Case IPR2025-00637  
Patent No. 9,763,283

Dated: July 23, 2025

Respectfully submitted,

/James A. Fussell Reg No 54885/  
James A. Fussell (Reg. No. 54,885)

Case IPR2025-00637  
Patent No. 9,763,283

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23rd day of July, 2025, a copy of the attached **PATENT OWNER'S REQUEST FOR DISCRETIONARY DENIAL OF INSTITUTION UNDER 35 U.S.C. § 314(A)** was served by electronic mail to the attorneys of record, at the following addresses:

Zhiwei (Wayne) Zou (Reg. No. 66,041)

[wayne.zou@bayes.law](mailto:wayne.zou@bayes.law)

Wenchong Shu (Reg. No. 73,999)

[wenchong.shu@bayes.law](mailto:wenchong.shu@bayes.law)

Jia Hui (Jeffrey) Jiang (Pro Hac Vice)

[jeffrey.jiang@bayes.law](mailto:jeffrey.jiang@bayes.law)

Zhe (Philip) Wang (Pro Hac Vice)

[philip.wang@bayes.law](mailto:philip.wang@bayes.law)

Bayes PLLC

8260 Greensboro Drive, Suite 625

McLean, VA 22102

Tel: 703-995-9887

Fax: 703-821-8128

With a courtesy copy by electronic mail to:

[OnePlus-Pantech-IPR@bayes.law](mailto:OnePlus-Pantech-IPR@bayes.law)

Respectfully submitted,

Date: July 23, 2025

By:

/James A. Fussell Reg No 54885/

James A. Fussell (Reg. No. 54,885)

**CERTIFICATION PURSUANT TO 37 C.F.R. § 42.24(d)**

Pursuant 37 CFR 42.24(d), the undersigned certifies that this Request for Discretionary Denial of Institution complies with the type-volume limitation of 37 CFR §42.24(a). The word count application of the word processing program used to prepare this Request for Discretionary Denial of Institution indicates that the Request for Discretionary Denial of Institution contains 259 words, excluding the parts of the brief exempted by 37 C.F.R. § 42.24(a).

Respectfully submitted,

Date: July 23, 2025

By: /James A. Fussell Reg No 54885/  
James A. Fussell (Reg. No. 54,885)