

RE: IPR2025-00934 - Petitioner's Supplemental Information Request
From: Trials <Trials@USPTO.GOV>
Sent: Thursday, December 4, 2025 11:51 AM
To: Nicholas Stephens <nstephens@fr.com>
Cc: IPR39843-0195IP1 <IPR39843-0195IP1@fr.com>; rmirzaie@raklaw.com; nrubin@raklaw.com; pwang@raklaw.com; Linda Xu <lxu@raklaw.com>; rak_wilus@raklaw.com

Counsel:

Petitioner is authorized to file a motion to submit supplemental information under 37 C.F.R. § 42.123(a) within 5 days. Patent Owner is authorized, but not required, to file a response to the motion within 5 days after its filing. Petitioner is authorized, but not required, to file a reply to the response within 5 day of its filing.”

Regards,

Andrew Kellogg,
Deputy Chief Clerk, Trials
Patent Trial and Appeal Board
USPTO
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(571) 272-5366



From: Nicholas Stephens <nstephens@fr.com>
Sent: Wednesday, December 3, 2025 5:09 PM
To: Trials <Trials@USPTO.GOV>
Cc: IPR39843-0195IP1 <IPR39843-0195IP1@fr.com>; rmirzaie@raklaw.com; nrubin@raklaw.com; pwang@raklaw.com; Linda Xu <lxu@raklaw.com>; rak_wilus@raklaw.com
Subject: IPR2025-00934 - Petitioner's Supplemental Information Request

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Honorable Board,

Petitioner respectfully requests authorization to submit supplemental information in IPR2025-00934 pursuant to 37 C.F.R. § 42.123(a). This request is being made within 30 days of the Board's decision

granting institution and the supplemental information is relevant to at least one claim for which trial has been instituted.

In particular, the Board’s institution decision addressed the prior art status of 802.11ax_D1.0 (EX1004) and stated that “[a]fter having reviewed all the arguments and evidence presented by the parties, we would like to see further development of this issue during trial. ... We will determine, if necessary and appropriate, whether 802.11ax_D1.0 is prior art to the challenged claims of the ’210 patent based on the full record developed during trial.” Paper 12 at 14-15. To aid development of this issue at an early stage of the trial, Petitioner requests authorization to submit supplemental information in the form of a declaration from Dr. Christopher Hansen, along with supporting appendices relevant to IEEE 802.11 SA policies and practices, that would further demonstrate the public accessibility of 802.11ax_D1.0. Petitioner is prepared to file the supplemental information within five business days of the Board’s authorization, if granted.

The parties have conferred and Patent Owner indicates that it opposes this request:

Patent Owner’s position: Petitioner is required to obtain authorization to file a motion to supplement the record under Section 42.123. To the extent Petitioner is only requesting authorization to file such a motion, Patent Owner does not oppose. As of this date, Petitioner has not provided Patent Owner a copy of the supplemental information it intends to submit. Patent Owner reserves the right to oppose Petitioner's motion under Section 42.123 if it is authorized and after it is filed. To be clear, Petitioner's email suggests that it does not intend to file the required motion under Section 42.123 but instead plans to simply file the supplemental information--this is not permitted under the regulations, which require Petitioner to file a formal motion to which Patent Owner may respond.

Should the Board desire a conference call, the parties will provide their mutual availability.

Respectfully,
Nicholas Stephens

Counsel for Petitioner Samsung Electronics Co., Ltd.

Nicholas Stephens
Principal ■ Fish & Richardson P.C.

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