

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHENZHEN RONGLIDA TECHNOLOGY CO. LTD.

Petitioner,

v.

PATHWAY IP LLC

Patent Owner.

U.S. Patent No. 7,841,729

Case No. IPR2025-01231

**PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY
RESPONSE**

Patent Owner (“PO”) seeks to deny institution based entirely on speculation, asking the Board to infer a procedural defect where none exists. PO produces no evidence that any third party has funded or controlled this proceeding. Instead, PO purports to rely on standard e-commerce practices, unrelated IP filings, and joint defense efficiencies to label Petitioner Shenzhen Ronglida Technology Co. Ltd. (“Petitioner”) a proxy. This argument fails because it confuses commercial association with legal control. Petitioner identified itself as the sole RPI and affirms no other entity funded or controlled the IPR. And the nature of PO’s submission underscores the weakness of its theory—it submits more than 1,000 scattered pages of collateral materials and asks the Board to infer control and funding by non-parties based on a mere hunch. The standard is control, not mere association.

PO’s reliance on *Applications in Internet Time, LLC v. RPX Corp.* (“AIT”), 897 F.3d 1336 (Fed. Cir. 2018), is misplaced. In *AIT*, the petitioner was a patent litigation aggregator acting as an agent to clear risk for clients. Here, Petitioner is a named defendant in parallel district court litigation, facing direct liability in the form of injunctions and damages. Petitioner filed this IPR to protect its own independent existence, not as a service to others. Absent proof that a third party is funding or directing the IPR, a business relationship or shared desire to invalidate a patent is insufficient to establish RPI status. See *Unified Patents Inc. v. Uniloc 2017 LLC*,

IPR2017-02148, Paper 82 at 20-22 (PTAB Apr. 11, 2019). PO provides no such proof.

PO argues that selling under a shared Amazon Standard Identification Number (“ASIN”) proves Petitioner is a distinct entity in name only. However, shared ASINs reflect platform rules, not corporate unity. In particular, Amazon’s “Single Detail Page” rule mandates that all sellers of the same product list on a single page.¹ Sharing an ASIN may prove only that Petitioner shares a supply chain with others; it does not prove that the brand owner dictates Petitioner’s legal strategy. Supplier-reseller relationships do not create RPI status. *See Toshiba Memory Corp., v. Anza Technology, Inc.*, IPR2018-01597, Paper 56 at 15 (PTAB Mar. 12, 2020).

Extrinsic IP filings and past litigation are also irrelevant. PO’s scattershot submission of trademark applications, assignments between non-parties, and a 2020 complaint by “Shenzhen Neewer” is a red herring, not proof of control in this proceeding. The existence of brand confusion or unrelated design patent transfers between third parties fails to establish the requisite link: that any of these entities funded this IPR or contractually dictate Petitioner’s legal strategy. PO offers no evidence connecting these historical documents to the filing of the instant Petition.

¹ See, e.g., *Product Detail Pages and Offers*, AMAZON.COM, <https://sellercentral.amazon.com/help/hub/reference/external/G51?locale=en-US> (last visited Jan. 1, 2026) (explaining that the product detail page is a “shared space that displays attributes that are common to all offers for the product” and that “You and other sellers can list an offer on a product detail page.... Amazon chooses what information to include on the product detail page based on manufacturer and seller contributions”).

Joint defense groups also do not equal ceding control. Shared counsel in district court and the use of the term “Newer Group” for case management purposes reflects standard litigation efficiencies, not a merger of corporate entities. Participation in a joint defense group allows co-defendants to share costs and information but does not grant one party veto power over another’s administrative proceedings. PO has produced no evidence showing that any other party has the right to approve or direct this IPR.

PO claims Petitioner’s sales volume makes this IPR “irrational.” However, this ignores the existential risk of Amazon litigation. A patent judgment can lead to the permanent suspension of Petitioner’s entire selling account—freezing funds and blocking all future sales, far exceeding the value of the specific accused product. Protecting one’s account and avoiding damages (including possible enhanced damages) under 35 U.S.C. § 284 is a rational, independent business decision justifying the cost of this IPR.

PO has failed to overcome the presumption that Ronglida’s identification of RPIs is correct. The record shows only that Ronglida shares a supply chain, brand ecosystem, and counsel with co-defendants in parallel district court litigation—common business and legal activities, not evidence that any third party is funding, directing, or controlling this IPR. Petitioner is the sole real party in interest.

Dated: January 2, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 2, 2026, a copy of the foregoing PETITIONER'S REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE of Shenzhen Ronglida Technology Co. Ltd. was served electronically via email on Patent Owner's counsel:

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