

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LTD.

and

APPLE INC.,

Petitioners

v.

MYW SEMITECH, LLC,  
Patent Owner

---

*Inter Partes* Review Case No. IPR2026-00066  
U.S. Patent No. 11,538,763

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

**TABLE OF CONTENTS**

**I. APPLE’S CLAIM CONSTRUCTION POSITIONS IN THE  
PETITION AND IN DISTRICT COURT ARE CONSISTENT.....1**

**II. THE PETITION COMPLIES WITH THE WORD COUNT.....3**

**III. THE PETITION COMPLIES WITH 37 C.F.R. § 42.104(A).....4**

**TABLE OF AUTHORITIES**

CASES

*Bruker Spatial Biology, Inc. v. President & Fellows of Harvard Coll.*,  
IPR2024-00526, Paper 14 (PTAB Aug. 23, 2024).....4

*Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co. Ltd.* Matal, 868  
F.3d 1013 (Fed. Cir. 2017) .....2

*Realtime Data, LLC v. Iancu*, 912 F.3d 1368 (Fed. Cir. 2019).....2

*Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper  
20 (PTAB Nov. 3, 2025) .....2

*Samsung Elecs. Co., Ltd. v. Wilus Inst. of Standards & Tech. Inc.*, IPR2025-  
01069, Paper 16 (PTAB Dec. 10, 2025).....1

*Tesla, Inc. v. Unicorn Energy GmbH*, IPR2022-00110, Paper 19 (PTAB Feb.  
17, 2022) .....3

Pursuant to the Board’s authorization dated March 11, 2026 (EX3001), Petitioners hereby submit this Reply to Patent Owner’s Preliminary Response pursuant to 37 C.F.R. § 42.23.

**I. APPLE’S CLAIM CONSTRUCTION POSITIONS IN THE PETITION AND IN DISTRICT COURT ARE CONSISTENT**

Patent Owner contends that “Petitioner Apple has proposed inconsistent positions for the construction of ‘semiconductor chip.’” (Paper 12 at 6). This contention is demonstrably incorrect. Instead, in the litigation, both Patent Owner and Co-Petitioner Apple agree that the plain and ordinary (P&O) meaning should apply. EX2015 at 4. In this IPR, the Petition states that “claim construction is unnecessary because...the prior art falls within the indisputable scope of the Challenged Claims under any reasonable construction (including any proposed in litigation).” (Paper 1 at 2). And Patent Owner does not dispute that the Petition’s prior art teaches the claimed “semiconductor chip” under Apple’s proposed P&O construction in the litigation. Under similar circumstances where both Parties submit the P&O should apply and the Parties agree that no claim terms require express construction for the IPR, the Board has held no claim construction is needed and no inconsistent positions by Petitioner. *Samsung Elecs. Co., Ltd. v. Wilus Inst. of Standards & Tech. Inc.*, IPR2025-01069, Paper 16 at 7 (PTAB Dec. 10, 2025).

In *Samsung*, the Patent Owner and Petitioner “agree[d] that no claim terms require express construction” and that certain claim phrases should be given their plain and ordinary meaning. *Id.* at 7. The Petitioner also no longer asserted in the litigation that certain terms were indefinite. *Id.*

The Board found that Petitioner was not taking inconsistent claim construction positions, in violation of *Revvo*, noting that the parties “agree” that certain phrases should be given their P&O meaning and are not indefinite. *Id.* “Thus, the record does not show inconsistent claim construction positions that warrant denial under PTAB Precedent.” *Id.* (citing *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20 at 4–5 (PTAB Nov. 3, 2025) (precedential)). The Board concluded, stating “we determine no terms need express construction.” *Id.* at 8 (citing *Realtime Data, LLC v. Iancu*, 912 F.3d 1368, 1375 (Fed. Cir. 2019)); *see also Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co. Ltd. Matal*, 868 F.3d 1013, 1017 (Fed. Cir. 2017) (holding the Board need not construe a claim term when there is no dispute the prior art satisfies the limitation).

Like in *Samsung*, the Parties in this IPR agree that no terms need to be construed. *Compare* Paper 1 at 2 (asserting that “claim construction is unnecessary” in this IPR), *with* Paper 12 (Patent Owner Preliminary Response) at 5 (“For the purposes of this preliminary response, Patent Owner does not believe any claims need to be construed.”). The Parties also agree that “semiconductor chip” should be

given its P&O meaning. EX2015 at 4. Patent Owner has not said what it believes the P&O meaning is, which only further underscores the fact that there is no dispute about this construction in this IPR that needs to be resolved. Thus, like in *Samsung*, because the Parties agree that no claim construction is needed to resolve this IPR, and because the Parties agree that P&O should apply to the single claim term identified in the litigation, Patent Owner's argument for denial based on inconsistent claim constructions should be rejected.

## II. THE PETITION COMPLIES WITH THE WORD COUNT

There is nothing improper about annotating figures in a Petition “to properly aid [the Director] in [his] consideration of the [] Petition.” *Tesla, Inc. v. Unicorn Energy GmbH*, IPR2022-00110, Paper 19 at 11 (PTAB Feb. 17, 2022). Here, the Petition's annotations “consist primarily of highlighting or other coloration and very short (a few words) labels.” *Id.*; *see, e.g.*, Paper 1 at 5, 6, 16, 20. Moreover, any information in the annotations is information that is also set forth in the Petition's body and, therefore, included in the word count. *See, e.g., id.* at 12–13. As with the *Tesla* decision, the Petition's annotations serve only to properly aid the Director in his consideration of the Petition, especially given the structurally relational nature of the Challenged Claims.

Similarly, the Petition's acronyms are either common in the patent field (e.g., “MTC” for “motivation to combine,” “REOS” for “reasonable expectation of

success”) or pulled from the prior art. *See, e.g.*, EX1004 at 7:46–48 (using “RDL” for “polymer-metal redistribution layer”), Paper 1 at 139 (identifying EX1013 having the title “RDL: An integral part of today’s advanced packaging technologies”). Patent Owner cites no case holding such common or prior-art-defined acronyms are improper. Paper 12 at 9.

Patent Owner identifies only one alleged instance of improper cross-referencing: Claim 18. Paper 12 at 10 (citing Paper 1 at 124–36). But Claim 18 only references Claim 1’s mappings for *identical* or corresponding limitations. Paper 1 at 124–26. “Given the close relationship between the claim elements discussed in” these sections, the cross-referencing is proper. *Bruker Spatial Biology, Inc. v. President & Fellows of Harvard Coll.*, IPR2024-00526, Paper 14 at 23 (PTAB Aug. 23, 2024).

### **III. THE PETITION COMPLIES WITH 37 C.F.R. § 42.104(A)**

The Petition expressly states that “the ’763 Patent is eligible for IPR” under § 42.104(a). Paper 1 at 1. This is an unambiguous certification that the ’763 Patent is available for IPR and that Petitioners are not barred or estopped from requesting this IPR. There is no requirement that the certification must repeat back Rule 42.104(a) verbatim. The Petition complies with 37 C.F.R. § 42.104(a), and Patent Owner’s argument to the contrary is unsupported and should be rejected.

Respectfully submitted,

ERISE IP, P.A.

BY: /s/ Jennifer C. Bailey  
Jennifer C. Bailey, Reg. No. 52,583  
jennifer.bailey@eriseip.com  
7015 College Boulevard, Suite 700  
Overland Park, Kansas 66211  
(913) 777-5600 Telephone  
(913) 777-5601 Facsimile

COUNSEL FOR PETITIONERS,  
TAIWAN SEMICONDUCTOR  
MANUFACTURING COMPANY LTD. AND  
APPLE INC.

**CERTIFICATION OF COMPLIANCE**

The undersigned certifies pursuant to 37 C.F.R. §42.24 that foregoing Petitioners' Reply to Patent Owner's Preliminary Response to Petition for *Inter Partes* Review, excluding those portions excepted by 37 C.F.R. § 42.24(a)(1), complies with the three-page limit specified by the Board.

Dated: March 16, 2026

ERISE IP, P.A.

BY: /s/ Jennifer C. Bailey  
Jennifer C. Bailey, Reg. No. 52,583  
jennifer.bailey@eriseip.com  
7015 College Boulevard, Suite 700  
Overland Park, Kansas 66211  
(913) 777-5600 Telephone  
(913) 777-5601 Facsimile

COUNSEL FOR PETITIONERS,  
TAIWAN SEMICONDUCTOR  
MANUFACTURING COMPANY LTD. AND  
APPLE INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Petitioners' Reply to Patent Owner's Preliminary Response was served on March 16, 2026, by email on the following counsel of record for Patent Owner:

djackson@daignaultiyer.com  
rjuang@daignaultiyer.com  
cbiyer@daignaultiyer.com  
rdaignault@daignaultiyer.com  
ehadi@daignaultiyer.com  
MYWSemitech@daignaultiyer.com

Respectfully submitted,

ERISE IP, P.A.

BY: /s/ Jennifer C. Bailey  
Jennifer C. Bailey, Reg. No. 52,583  
jennifer.bailey@eriseip.com  
7015 College Boulevard, Suite 700  
Overland Park, Kansas 66211  
(913) 777-5600 Telephone  
(913) 777-5601 Facsimile

COUNSEL FOR PETITIONERS,  
TAIWAN SEMICONDUCTOR  
MANUFACTURING COMPANY LTD. AND  
APPLE INC.