

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.
Petitioner,

v.

GOLDEN EYE TECHNOLOGIES LLC,
Patent Owner.

IPR2026-00186
U.S. Patent No. 10,051,556

**PETITIONER'S OPPOSITION TO PATENT OWNER'S
REQUEST FOR DISCRETIONARY DENIAL**

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I. INTRODUCTION

Petitioner Cisco Systems, Inc. (“Cisco”) respectfully seeks PTAB review of the ’556 patent for the protection of U.S. manufacturing and national security interests. The ’556 patent was originally issued to a Korean entity and now appears to be controlled by a Canadian entity, thereby raising the same concerns identified in *Tianma Microelectronics Co. v. LG Display Co.* regarding foreign entities seeking to exploit the U.S. patent system at the expense of American companies: “Opaque investment structures have been used by foreign adversaries to gain influence over, or access to, U.S. intellectual-property assets and proceedings. State-linked entities have covertly financed or directed U.S. patent challenges, acquisitions, or licensing transactions in sectors such as semiconductors, artificial intelligence, quantum computing, and advanced materials.” IPR2025-01579, Paper 12 (March 18, 2026) (precedential).

Cisco, by contrast, is a publicly traded American technology company that supports U.S. manufacturing and employment, both directly and through a network of domestic partners and suppliers. To protect its investments in these U.S.-based operations, Cisco chose to seek the cost-efficient IPR procedure to eliminate the ’556 patent that foreign adversaries are asserting against it.

Institution is also warranted under other commonly considered factors:

- **Correcting the Examiner’s Error**: The Examiner allowed the patent for

subject matter the ’556 patent itself disparages and describes as prior art.

• **The *Fintiv* factors favor institution:**

Factor	Weight	Reason
1 (stay)	neutral	The outcome of a motion to stay is speculative
2 (trial gap)	against denial	Trial is scheduled after the expected FWD and may be delayed further
3 (investment)	against denial	Markman hearing set five months after institution; Petitioner’s diligent filing
4 (overlap)	against denial	<i>Sotera</i> stipulation
5 (same party)	neutral	Petitioner is defendant
6 (merits)	against denial	Other circumstances favor institution

II. THE FACTS FAVOR REFERRAL

Three considerations independently favor referral: (1) Cisco’s substantial ties to U.S. manufacturing, as recognized by the Director’s recent Memorandum; (2) material examiner error during prosecution of the ’556 patent; and (3) the early procedural posture of the parallel litigation under *Fintiv*.

A. The USPTO Memorandum’s manufacturing factors favor institution.

On March 11, 2026, the Director issued a Memorandum entitled “Additional Discretionary Institution Considerations—U.S. Manufacturing and Small Business Use of AIA Proceedings” (the “Memorandum”). The Memorandum recognizes that “the availability of IPRs...is important to protect American manufacturers” and identifies the following factors relevant to institution:

- (1) the extent to which any products accused of infringement in a parallel proceeding are manufactured in the United States or are related to investments in American manufacturing operations;
- (2) the extent to which any products made, sold, or licensed by the patent owner that compete with the accused products are manufactured in the United States; and ...

Memorandum, 2.

As discussed below, discretionary denial here would frustrate—not further—the Memorandum’s stated purpose. Denial would deprive Petitioner Cisco—an American technology company whose products are closely tied to U.S. manufacturing operations—of access to PTAB review, while insulating Patent Owner Golden Eye—a **foreign-controlled non-practicing entity** with no manufacturing operations—from scrutiny. The result would be harm to competition and innovation by U.S. operating companies.

1. Cisco contributes significantly to U.S. manufacturing.

The Memorandum’s first factor weighs against discretionary denial because Cisco provides substantial contributions to American manufacturing. The Memorandum makes clear that “manufacturing” is not limited to final assembly but also includes “the extent to which components of a product are made in the United States.” Memorandum, 3. Petitioner Cisco is an American technology company that designs, manufactures, and sells networking equipment throughout the United States and worldwide. Golden Eye has alleged in parallel litigation that

various Cisco products, including Wi-Fi access points, infringe the '556 patent.

Ex.1013. Those accused products (1) are produced through a complex manufacturing ecosystem involving U.S.-based contract manufacturers and a deep American supply chain, and (2) are marketed to, sold to, and used in American factories that manufacture numerous goods.

First, Cisco has demonstrated its commitment to U.S. manufacturing through its Build America, Buy America (“BABA”)-certified products for the BEAD Program, including the manufacture of various products in Carrollton, Texas.

Ex.1014. This manufacturing underscores Cisco's ongoing commitment to invest in domestic manufacturing operations across its product portfolio.

Cisco's products are also manufactured through a network of manufacturing partners, several of which maintain substantial operations in the United States. Cisco's Fiscal Year 2024 supplier list reflects a broad base of U.S.-headquartered component suppliers with domestic manufacturing operations. Ex.1015. For example, Flex (formerly Flextronics)—named Cisco's “EMS Partner of the Year” in 2023 (Ex.1016)—maintains multiple U.S. facilities including “advanced manufacturing facility in Columbia, South Carolina” and a “400,000 sq. ft. Flex manufacturing facility in Dallas, Texas.” Ex.1017. “Both sites focus on critical power products, enabling faster production at scale for a growing U.S. customer base.” Ex.1017.

Additionally, Cisco's products incorporate components sourced from numerous U.S.-based manufacturers, including major domestic suppliers of semiconductors, printed circuit boards, connectors, and interconnect systems—all core aspects of modern electronics manufacturing. These include, among others:

- Intel Corp. (U.S. semiconductor fabrication);
- Broadcom, Inc. (U.S.-based semiconductor company);
- Texas Instruments, Inc. (extensive U.S. fabrication operations);
- Micron Technology, Inc. (U.S.-based memory manufacturer);
- Microchip Technology, Inc. (U.S.-based microcontroller supplier);
- Amphenol Corp. (U.S.-based connector manufacturer); and
- Molex LLC (U.S.-based interconnect manufacturer). Ex.1015.

Second, the accused Wi-Fi access points support investments in American manufacturing operations. Specifically, the access points help “[b]uild a smart and secure factory, ready for Industry 4.0 manufacturing” thereby supporting “[s]mart manufacturing for the modern age.” Ex.1018. U.S.-based manufacturers are able to utilize Cisco's Wi-Fi access points “to automate [their] industrial networks, secure [their] operations, improve IT and operational technology (OT) collaboration, and make [their] manufacturing smarter.” Ex.1018. Accordingly, institution is appropriate because the accused Wi-Fi access points “are related to investments in American manufacturing operations.” Memorandum, 2.

Therefore, Cisco's products—including the accused Cisco Wi-Fi access points—are deeply tied to the American manufacturing base and related to investments in U.S. manufacturing operations. The IPR system was created specifically to enable challenges like this one, and the Memorandum's objective in making available IPRs to businesses with U.S. manufacturing contributions counsels against discretionary denial.

In addition to Cisco's significant support of U.S. manufacturing operations, Cisco contributes to the U.S. technology sector overall. Cisco employs over 47,000 workers in the United States. Ex.1019, 8. Cisco further invests in workforce development through initiatives like the Cisco Networking Academy, which has trained millions for U.S. employment. Ex.1020.

Additionally, Cisco supplies critical networking infrastructure for government agencies and to all four branches of the military through Cisco "Gold Partners." Ex.1021. Cisco provides significant support to the nation's network security and artificial intelligence endeavors. Cisco's priorities are to "build modern and resilient infrastructure; protect against the cyber threats of today and tomorrow; and harness the power of AI and data." Ex.1019. Using Cisco's products, "public sector agencies now have new ways to safeguard sensitive data, critical infrastructure, and constituent services." Ex.1022.

Cisco's interest in challenging the validity of the '556 patent is not strategic gamesmanship—it is a legitimate effort by an operating company to clear invalid patents that impede its ability to compete and serve its customers.

2. Golden Eye has no U.S. manufacturing operations.

Golden Eye is a foreign-controlled non-practicing entity that acquired patents issued to a Korean entity. The Memorandum's second factor thus weighs against discretionary denial—Golden Eye does not contribute to American manufacturing. Memorandum, 2. The second factor reflects the recognition that certain patent owners—particularly businesses that manufacture products in the U.S.—warrant heightened protection against potentially abusive IPR challenges that could threaten their ability to compete and maintain domestic manufacturing operations. Memorandum, 2. The policy rationale is clear: foreigners should not exploit low-quality patents to tax American companies that create American jobs and invest in domestic production capacity.

Golden Eye is owned by Harfang IP Investment Corp., which is itself wholly owned by Harfang IP Inc.—which appears to be a Canadian entity incorporated in Montreal, Quebec. Ex.1023; Ex.1029. Golden Eye was formed in August 2020, apparently for the sole purpose of acquiring and monetizing patents received from KT Corporation—a South Korean entity whose largest single investor is the Korean government (via the Republic of Korea's National Pension Service).

Ex.1023; Ex.1024; Ex.1026. KT's most recent annual SEC filing also shows that the Korean government has additional indirect ownership interests through KT Corp.'s second-largest shareholder, Shinhan Financial Group. Ex.1027, 86; Ex.1028. Another entity investing in KT Corp. through the Shinhan intermediary is the People's Bank of China, the state-owned central bank of the People's Republic of China. Ex.1028.

As a foreign-controlled non-practicing entity with opaque ownership that is asserting patents obtained from foreign state-backed actors, Golden Eye is not the type of Patent Owner the Memorandum seeks to protect. Golden Eye does not manufacture competing products, employ a substantial domestic workforce, or rely on U.S. patent rights to sustain American production capacity. *See* Ex.1023. On the contrary, Golden Eye's business model consists entirely of obtaining patents—like the '556 patent—from foreign entities and asserting them against U.S. companies that develop, manufacture, and sell products. Given Golden Eye's opaque ownership structure, it is unclear whether funds raised through its licensing and litigation activities will flow back to the foreign government entities that were investors in the original foreign assignee.

Foreign-controlled non-practicing entities like Golden Eye should not be shielded from validity challenges brought by U.S. operating companies. Exercising discretionary denial under these circumstances would invert the Memorandum's

policy objectives by protecting a foreign-controlled patent assertion entity at the expense of a domestic petitioner that supports domestic manufacturing.

3. Denying institution would harm competition and innovation.

The Memorandum should also be read in the context of the IPR system's overarching purpose: to provide an efficient administrative alternative to district court litigation for resolving patent validity disputes. *See* 77 Fed. Reg. No. 157, 48612 (Aug. 14, 2012); *General Plastic Industrial Co., Ltd. v. Canon Kabushiki Kaisha*, IPR2016-01357, Paper 19 at 16-17 (Sept. 6, 2017). Denying institution in this case would not protect an American manufacturer—it would shield a non-practicing entity from accountability for patent claims that may well be invalid.

Golden Eye cannot claim it has settled expectations when it has owned the '556 patent for less than six years. Ex.1024. Moreover, the settled expectations doctrine applies most forcefully where a patent owner has made substantial investments in reliance on patent validity—such as building manufacturing facilities, developing products, or entering long-term licensing arrangements. Golden Eye—a non-practicing entity—has done none of these things.

Golden Eye's licensing activities, which it touts as evidence of settled expectations, in fact highlight why institution is appropriate. If the '556 patent is invalid, then the "licenses" it has obtained represent unwarranted wealth transfers from productive companies to a foreign-controlled entity that contributed nothing

to American innovation. The IPR system exists to test such patents and ensure that only valid patents command licensing fees in the marketplace.

The Office should not exercise discretion to insulate the '556 patent from this scrutiny merely because it has been issued for eight years. The passage of time does not make an idea novel or non-obvious, and the Office should institute review to determine whether the prior art indeed renders obvious the challenged claims.

B. The Examiner's prosecution errors warrant referral.

The record reveals two reinforcing errors: the claims were allowed based on prior art the patent itself disparages, and the Examiner ignored earlier findings that the supposed distinguishing feature was already known. These errors outweigh any settled expectations Golden Eye asserts. DD Req., 12-14.

1. The allowable subject matter was acknowledged as prior art and disparaged by the Applicant.

The '556 patent was allowed after the Applicant amended the claims to recite concepts that were not only acknowledged as prior art in the '556 patent's background section, but also explicitly disparaged as undesirable. Ex.1002, 78.

The '556 patent relates to “an access point scan method using an active scan scheme in a wireless LAN system.” Ex.1001, 1:15-21. As part of that procedure, the access point “receiv[es], from a station, a probe request frame” that includes “information on a signal strength.” Ex.1001, claim 9. After the Examiner rejected the original claims directed to this concept, the Applicant amended the claims to

further recite “wherein an access of the station to the access point is based on ... a maximum probe response time.” *Id.*; Ex.1002, 41.

The Applicant then argued that the prior art “fails to teach or suggest a maximum probe response time during which the station waits for a response.” Ex.1002, 45. That argument directly conflicts with the specification, which affirmatively disparages such waiting as a defect of prior art approaches: “[E]ven after a probe response frame is received from an access point ..., **the station waits for the maximum probe response time** to pass, and then requests an access at the access point, **thereby causing waste of time.**” Ex.1001, 2:2-6.

By allowing claims that recite concepts the specification acknowledged and disparaged as prior art, the '556 patent was granted in error.

2. **The Examiner's reasons for allowance contradicted prior findings without explanation.**

The Examiner's error is further compounded by internal inconsistencies in the prosecution record. In the Non-Final Office Action, the Examiner expressly found that Park (the primary reference) disclosed the features of dependent claim 5, which recited that “the station accesses the access point before the maximum probe response time elapses,” citing paragraphs 106–124 of Park. Ex.1002, 64-65. If Park taught accessing the access point “before the maximum probe response time elapses,” then Park necessarily disclosed the concept of a “maximum probe response time”—the very feature the Examiner later identified as the basis for

allowance of the independent claims.

Additionally, the Examiner's motivation-to-combine statement in the § 103 rejection acknowledged that Thomson (another reference used in the rejection) taught "the method of having a response frame and a time limit to receive the response frame." Ex.1002, 65 (emphasis added). A "time limit to receive the response frame" is functionally equivalent to a "maximum probe response time." The Examiner's own characterization of the prior art thus recognized the concept that would later form the entire basis for allowance. Yet, the Examiner failed to address this inconsistency when allowing the claims.

3. Office precedents on Examiner error favor institution.

The errors in the prosecution of the '556 patent are directly analogous to material examination errors that the Director has recently found to warrant institution notwithstanding settled expectations.

For example, in *Apple Inc. v. Advanced Coding Technologies LLC*, the Director found that "the Office appear[ed] to have erred in a manner material to the patentability of the challenged claims" where claims incorporating previously rejected subject matter were later allowed without further analysis.

IPR2025-01103, Paper 11, 3 (Oct. 17, 2025). The prosecution of the '556 patent followed the same pattern: the Examiner did not reject claim 2, the Applicant incorporated claim 2's features (similar to claim 5's features) into the independent

claims, and the Examiner allowed those claims without conducting any

independent analysis of whether the prior art disclosed the incorporated features.

And in *Ascentcare Dental Products, Inc. v. Solmetex, LLC*, the Office found the Examiner committed material error by allowing certain dependent claims that were taught by the Examiner's primary reference. IPR2025-01104, Paper 11 (Oct. 17, 2025). Where "the Office materially erred during prosecution... it is an appropriate use of Office resources to review the potential error." *Id.* at 2–3; *see also TSMC Ltd. v. Marlin Semiconductor Ltd*, IPR2025-00847, Paper 11 (Sept. 3, 2025) (referring the IPR where the examiner error outweighed a 15-year-old patent); *Eunsung Global Corp. v. Hydrafacial LLC*, No. IPR2025-00445, Paper 14 (Oct. 9, 2025) (referring the IPR where examiner error outweighed settled expectations of a 9-year-old patent); *FreightCar Am., Inc. v. Nat'l Steel Car Ltd.*, IPR2025-01046, Paper 20 (Oct. 10, 2025) (referring a case where the Examiner error outweighed settled expectations of a 13-year-old patent); *Anthony Inc. v. ControlTec LLC*, IPR2025-00636, Paper 9 at 2 (July 16, 2025) (material error overcame 17–18 years of settled expectations).

In summary, the prosecution history of the '556 patent reveals multiple material errors by the Examiner: (1) allowing the patent for reciting a concept that the specification disparages as prior art and (2) failing to reconcile the allowance with the Examiner's own findings that the prior art disclosed the same concept in

dependent claim 5. These errors weigh strongly in favor of institution so that the Office may correct them.

C. Discretionary denial under *Fintiv* is not warranted.

The *Fintiv* factors, considered as a whole, do not warrant discretionary denial. *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 (Mar. 20, 2020) (precedential). Each factor either favors institution or is neutral, and none weighs in favor of denial.

1. Factor 1 is neutral: No evidence regarding a stay.

With no stay motion pending, the Board should not speculate as to whether one would be granted. *Sand Revolution II, LLC v. Continental Intermodal Grp. Trucking LLC*, IPR2019-01393, Paper 24 at 7 (June 16, 2020) (informative).

2. Factor 2 favors institution: Trial is after the projected statutory deadline.

Factor 2 favors institution. Trial is currently set for August 16, 2027, which is more than one month after the projected due date for the Final Written Decision on July 13, 2027. Ex.2001, 1. *See Apple Inc. v. Apex Beam Techs. LLC*, IPR2025-00908, Paper 10 (Sept. 19, 2025) (referring the IPR where the district court trial was weeks after the FWD deadline); *FreightCar Am. Inc. v. Nat'l Steel Car Ltd.*, IPR2025-01046, Paper 20 at 2 (same).

Golden Eye, without any support, argues that the proximity of the EDTX trial date to the projected Final Written Decision (“FWD”) “weighs heavily in

favor of discretionary denial.” DD Req., 5. Notably, Golden Eye fails to identify a single case where the Office found factor 2 to weigh in favor of denial where trial was scheduled *after* expected FWD. And the only case it cites is one where trial was set *before* FWD. DD Req., 5 (*citing Shenzhen Tuozhu Tech. Co. v. Stratasys, Inc.* IPR2025-00354, Paper 11 at 2 (June 12, 2025)). The timeline here—with trial scheduled 5-6 weeks *after* FWD—provides the district court the benefit of the Board’s determination and promotes, rather than undermines, efficiency.

Additionally, it is uncertain that the district court trial will begin on the scheduled date. Thirteen other cases are currently scheduled for jury selection on August 16, 2027, making it unlikely that this case will proceed to trial that day. Ex.1025. The Board has recognized that scheduled trial dates are not immutable. *See Boe Tech. Grp. Co. v. Optronics Sci. LLC*, IPR2024-01130, Paper 16 at 10 (Jan. 27, 2025) (“Because a number of cases are scheduled for jury selection on January 5, 2026 in addition to the parallel proceeding, there is some uncertainty whether the trial in that proceeding would actually begin on that date.”). The realistic prospect of further delay—beyond the more-than-a-month-long trial gap—further weighs against discretionary denial.

3. Factor 3 weighs against denial: Minimal relevant investment and diligent filing.

Factor 3 weighs against discretionary denial because the co-pending litigation is in its early stages, and Petitioner acted diligently to file its petition.

Golden Eye characterizes the EDTX litigation as being in an “advanced stage,” but that characterization is unsupported. DD Req., 1. Although the parties have exchanged contentions and commenced fact discovery, no claim construction briefing or hearing has occurred, no dispositive motions have been filed, and trial is still well over a year away. Investment in the related proceeding has been minimal, as there will be no claim construction briefing or hearing until well after institution. Preliminary claim constructions are due on October 19, 2026, and the Markman hearing is scheduled for February 1, 2027—more than six months after the Board’s expected institution decision deadline of July 13, 2026. Ex.2001, 4. Per *Fintiv*, “[i]f, at the time of the institution decision, the district court has not issued orders related to the patent at issue in the petition, this fact weighs against exercising discretion to deny institution.” *Fintiv*, 10. Here, the court will therefore not issue an order related to claim construction until long after the institution decision is set to occur. The lack of an order addressing a dispute related to the ’556 patent thus weighs against discretionary denial.

This factor also weighs against denial because the Petitioner worked diligently to file the instant petition after receiving Patent Owner’s infringement contentions. *Fintiv*, 11. Petitioner received infringement contentions on November 10, 2025, and worked diligently to file three IPR petitions, including the instant petition, in just over two months. The Board has recently agreed that similar

diligence is reasonable and weighs against denial. *See Samsung Elecs. Co. v.*

Mullen Indus. LLC, IPR2024-01472, Paper 9 at 10 (Mar. 31, 2025) (“Petitioner’s

diligence in filing its Petition (a) less than five months after receiving Patent

Owner’s infringement contentions and (b) prior to the parties briefing claim

construction issues weighs against exercising discretionary denial.”); *see also*

Samsung Elecs. Co. v. Headwater Rsch. LLC, IPR2024-01396, Paper 13 at 7 (Apr.

1, 2025) (“[W]e find Petitioner’s diligence in filing its Petition approximately 4

months before it was statutorily required to do so, and while litigation is in its early

stages, weighs against denial, not for it.”). Because investment in the related

proceeding has been relatively minimal, Factor 3 weighs strongly against denial.

4. Factor 4 weighs strongly against denial: Petitioner’s *Sotera* stipulation.

Factor 4 weighs strongly against denial given that Petitioner has made a *Sotera* stipulation. Petition, 14. Golden Eye argues that the stipulation is “hollow” and ineffective. DD Req., 10. By offering a *Sotera* stipulation, Petitioner has committed to not pursuing in the district court any ground that was raised or reasonably could have been raised in this IPR. This commitment reduces the risk of duplicative proceedings and inconsistent outcomes—the very concerns the *Fintiv* framework addresses.

Moreover, Golden Eye’s reliance on the Federal Circuit’s decision in *Ingenico Inc. v. IOENGINE, LLC*, 136 F.4th 1354 (Fed. Cir. 2025), is inapposite.

That decision addressed the scope of IPR estoppel under 35 U.S.C. § 315(e), not the effect of a *Sotera* stipulation. Unlike statutory estoppel, a *Sotera* stipulation is a voluntary commitment that goes beyond the statutory requirements, and the Board has historically credited such stipulations as a significant factor weighing against discretionary denial. *Sotera* stipulations remain “highly relevant” to the *Fintiv* analysis (March 2025 Memo).

5. Factor 5 is neutral: Petitioner is a defendant in the parallel litigation.

Cisco is a defendant in parallel litigation. That is true of most IPR petitioners; therefore, this factor is neutral. *See HP Inc. v. Slingshot Printing LLC*, IPR2020-01084, Paper 13 at 9 (Jan. 14, 2021).

6. Factor 6 weighs against denial: Other circumstances warrant institution.

Factor 6 favors institution because other circumstances, such as Cisco's manufacturing contributions and the Examiner's material error “serve the interest of overall system efficiency and integrity.” *Fintiv*, 15.

In summary, the *Fintiv* factors together support institution.

III. PATENT OWNER'S HOLISTIC ARGUMENTS DO NOT WARRANT DISCRETIONARY DENIAL.

A. Patent Owner's substantive arguments are not appropriate at the discretionary stage.

Patent Owner's attempt to litigate the merits of the Petition in a discretionary

denial brief is premature and should be given limited weight at this stage. The question of whether the prior art combinations render the challenged claims obvious is precisely the issue the Board is designed to adjudicate through the institution and trial process. Patent Owner's arguments regarding the alleged incompatibility of Choudhary and Hasty are substantive merits arguments that are properly addressed in Patent Owner's Preliminary Response and, if institution is granted, through full briefing and hearing.

Nevertheless, even a preliminary review demonstrates the Petition's strength. Contrary to Golden Eye's assertions, the Petition identifies specific teachings in Choudhary and Hasty—supported by Dr. Hansen's expert testimony—explaining why a person of ordinary skill in the art would have been motivated to combine these references. Pet., 19-24. Patent Owner's characterization of the references as operating in “fundamentally different network topologies” oversimplifies the prior art and ignores the Petition's detailed explanation that both references address signal quality evaluation in wireless networking contexts. DD Req., 15-18. As explained in the petition, Choudhary and Hasty both describe evaluating link quality in the wireless space. Pet., 19-24.

Patent Owner's merits-based arguments should be addressed through full proceedings and do not provide a basis for discretionary denial. The Board routinely institutes proceedings where patent owners raise similar objections, as

such arguments go to the heart of the obviousness inquiry and require the full evidentiary record developed during trial.

B. Expert testimony is appropriate and expected

Patent Owner criticizes the Petition's reliance on Dr. Hansen's expert declaration as "excessive" and characterizes it as impermissible "gap-filling." DD Req., 18-20. This argument misunderstands the proper role of expert testimony in IPR proceedings. Expert testimony is not only permitted but expected in IPR petitions, particularly for obviousness challenges that require evidence of the knowledge and motivations of a person of ordinary skill in the art. *See* 37 C.F.R. § 42.65. Consistent with the rules, Petitioner's expert, Dr. Hansen, explains how the prior art references teach or suggest claim limitations, establishes the knowledge and perspective of a person of ordinary skill in the art, and supports reasons to combine. *See* Ex.1003, *generally*. Accordingly, institution is favored because the Petition relies on the cited patent references—not merely Dr. Hansen's testimony—for each and every limitation of the claims.

IV. CONCLUSION

Together, Cisco's substantial U.S. manufacturing ties, the presence of material examiner error, and the *Fintiv* factors provide compelling reasons to institute review and permit the Office to assess the validity of the '556 patent on the merits.

Opposition to Patent Owner's Request for Discretionary Denial
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Respectfully submitted,

Date: April 13, 2026

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Opposition to Patent Owner’s Request for Discretionary Denial
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PETITIONER’S UPDATED EXHIBIT LIST

Ex.1001	U.S. Patent No. 10,051,556.
Ex.1002	Prosecution History of U.S. Patent No. 10,051,556.
Ex.1003	Declaration of Dr. Christopher Hansen under 37 C.F.R. § 1.68.
Ex.1004	<i>Curriculum Vitae</i> of Dr. Hansen.
Ex.1005	U.S. Patent No. 9,161,293 to Choudhary (“Choudhary”).
Ex.1006	U.S. Patent No. 7,058,018 to Hasty (“Hasty”).
Ex.1007	U.S. Patent No. 8,503,390 to Chen (“Chen”).
Ex.1008	802.11h-2003.
Ex.1009	802.11k-2008.
Ex.1010	U.S. Patent No. 8,363,617 to Meyer (“Meyer”).
Ex.1011	Reserved
Ex.1012	Reserved
Ex.1013 (NEW)	Complaint, <i>Golden Eye Technologies LLC v. Cisco Systems, Inc.</i> 2-25-cv-00898 (EDTX) (August 27, 2025)
Ex.1014 (NEW)	Cisco Build American, Buy America (BABA) Certification
Ex.1015 (NEW)	Cisco Supplier List
Ex.1016 (NEW)	Flex Honored as Cisco’s EMS Partner of the Year
Ex.1017 (NEW)	Flex Domestic Manufacturing
Ex.1018	Cisco Wi-Fi Marketing for Manufacturers

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(NEW)	
Ex.1019 (NEW)	Cisco 10-k form
Ex.1020 (NEW)	Cisco Networking Academy Impact
Ex.1021 (NEW)	Cisco GEMSS Contract Details
Ex.1022 (NEW)	Cisco Public Sector Highlights
Ex.1023 (NEW)	Mondaq Article on Harfang IP
Ex.1024 (NEW)	Assignment Record
Ex.1025 (NEW)	EDTX Docket for August 16, 2027
Ex.1026 (NEW)	KT Corporation Investors
Ex.1027 (NEW)	SEC Form 20f
Ex.1028 (NEW)	Shinhan Financial Group
Ex.1029 (NEW)	Corporate Disclosure Statement, <i>Golden Eye Technologies LLC v. Cisco Systems, Inc.</i> 2-25-cv-00898 (EDTX) (August 27, 2025)

CERTIFICATE OF SERVICE

The undersigned certifies, under 37 C.F.R. § 42.6, that service was made on the Patent Owner as detailed below.

Date of service April 13, 2026

Manner of service Electronic Email: tsaad@bosfirm.com;
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Documents served ***PETITIONER'S OPPOSITION TO PATENT OWNER'S
REQUEST FOR DISCRETIONARY DENIAL;
EXHIBITS Ex.1013 – Ex.1029.***

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