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**BY ELECTRONIC FILING**

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The Honorable Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543

Re: *TCL Communication Technology Holdings, Limited, TCT Mobile Limited, TCT Mobile Limited, TCT Mobile (US) Inc. v. Godo Kaisha IP Bridge 1, No. 20-1545*  
Respondent's Opposition to Request to Delay Distribution of the Petition for Writ of Certiorari

Dear Mr. Harris:

On behalf of Respondent Godo Kaisha IP Bridge 1, we write to oppose the Petitioner's Request to Delay Distribution of the Petition for Writ of Certiorari.

Petitioner's Request is unwarranted and would significantly delay the Court's consideration of the Petition. Respondent filed its Brief in Opposition as quickly as it could, on May 24, 2021, almost two weeks before the response was due, so as to ensure that the Petition would be distributed on June 8 and considered by the Court at its June 24 conference, before the summer recess. In these circumstances, Petitioner's seemingly innocuous request for a week's delay in the distribution date—to June 16—would, in fact, postpone consideration of the Petition by three months. This unnecessary delay will prejudice IP Bridge, which has already been unable to collect on the damages from TCL's infringement for multiple years.

There is no warrant for such a delay. In Petitioner's letter regarding its requested extension, Petitioner simply references, as it had in an earlier email to Respondent, "the heavy press of other matters" and a vague reference to "logistical and other difficulties related to COVID-19." Petitioner's counsel's "press of other matters" has never been an excuse for delaying distribution, and nothing in the Court's March 19, 2020 and April 15, 2020 COVID-19 Orders changed that. While the March 19 and April 15, 2020 Orders do permit a Petitioner to seek a short delay in distribution, that is not a matter of right, and does not create a catch-all authority, but is instead limited to where additional time is necessary "due to difficulties relating to COVID-19." Petitioner has not identified any specific COVID-19 related difficulties, and it is hard to imagine what those might be now that Washington D.C. is in Phase 2 of reopening.<sup>1</sup> Respondents' own ability to file its (longer) Brief in Opposition two weeks *earlier*

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<sup>1</sup> <https://coronavirus.dc.gov/phasetwo>.



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than the rules required demonstrates that there are few if any remaining logistical difficulties due to COVID-19 that would affect the drafting and submission of a short Reply.

Moreover, Petitioner has the option to take almost the full extension it seeks without any need to delay the Petition's distribution. Petitioner can file the Reply on June 8, a day later than the typical 14-day window for replies, and still have the Reply circulated together with the Petition and Opposition. Alternatively, Petitioner could take the full work week and file on Friday, June 11, and the Reply would be circulated immediately, nearly two weeks before the Conference date. All of these options are fully within Petitioner's control. Petitioner chose, as was its right, to take the full 150 days allowed under the COVID Orders to file its Petition. Had it wished to ensure that it could seek an extra week under those Orders for its Reply without prejudicing Respondent by delaying the Conference until after the summer, Petitioner could have filed the Petition earlier, but it chose not to do so.

Finally, we note that the Petition does not present a particularly complicated issue, nor does the short, 20-page Opposition raise new points that require additional time. The Federal Circuit decision on appeal here was unanimous, applying precedent settled nearly two decades ago, and the Federal Circuit denied en banc review per curiam, without dissent. Further, the time for any potential amici to give notice of their intent to file has passed without any amici indicating an interest. In short, there is nothing unique about this Petition that suggests an extraordinary extension, delaying action on the Petition by three months, is warranted.

If the Clerk believes that a teleconference to discuss Petitioner's concerns would be helpful, we would be happy to join such a call.

Sincerely,

*/s/ Douglas Hallward-Driemeier*

Douglas Hallward-Driemeier

cc: All counsel of record  
Service list attached

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