

Case CBM2015-00119
Patent 8,033,458 B2

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

SMARTFLASH LLC,
Patent Owner

Case CBM2015-00119
Patent 8,033,458 B2

Before the Honorable JENNIFER S. BISK, RAMA G. ELLURU, GREGG I. ANDERSON, and PETER P. CHEN, *Administrative Patent Judges*.

**NOTICE THAT PETITIONER APPLE INC.'S
MOTION FOR JOINDER (PAPER 3) IS UNOPPOSED**

On June 29, 2015, the Board authorized the undersigned, on behalf of and acting in a representative capacity for Petitioner Apple Inc. (“Petitioner”), to submit a notice stating that Apple’s Motion for Joinder (Paper 3) is not opposed by Patent Owner Smartflash LLC (“Patent Owner”).

On April 30, 2015 and concurrently with its Petition, Petitioner filed a Motion for Joinder requesting joinder of its Petition with pending Covered Business Method review CBM2014-00192, which was instituted by the Board on April 2, 2015. Paper 3 at 2. At the May 4, 2015 telephonic conference with the

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Board, Patent Owner's counsel stated that Patent Owner "will oppose the motion under 325(c)." See Paper 8 at 16:11-20. The Board's May 6, 2015 Order on the Conduct of Proceedings set a June 1, 2015 due date for Patent Owner's opposition to Petitioner's Motion for Joinder. Paper 5 at 3. However, on June 1, 2015, Patent Owner only filed a preliminary response, stating therein that "[i]f the Board institutes a CBM review, Patent Owner does not oppose Petitioner's Motion for Joinder, Paper 3." Paper 7 at 1 n.1. Accordingly, Petitioner's pending Motion for Joinder (Paper 3) is unopposed, and Petitioner is prepared to provide any further information in connection with the request for joinder as the Board may require.

Respectfully submitted,

July 1, 2015

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing NOTICE THAT PETITIONER APPLE INC.'S MOTION FOR JOINDER (PAPER 3) IS UNOPPOSED was served on July 1, 2015, to the following Counsel for Patent Owner via e-mail, pursuant to the parties' agreement concerning service:

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