

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

CONTENTGUARD HOLDINGS, INC.
Patent Owner

Case CBM 2015-00160

U.S. Patent 7,774,280
Filed October 4, 2004
Issued August 10, 2010

Title: SYSTEM AND METHOD FOR MANAGING TRANSFER
OF RIGHTS USING SHARED STATE VARIABLES

Attorney Docket No. 20318-134361
Customer No: 22242

**CONTENTGUARD HOLDINGS INC.'S RESPONSE TO
PETITIONER'S MOTION FOR JOINDER TO CBM2015-00040**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

In response to Petitioner Apple’s Motion for Joinder (Paper No. 2), Patent Owner ContentGuard Holdings, Inc. (“ContentGuard”) provides its position as directed by the panel via Paralegal Operations Manager Maria Vignone’s e-mail to counsel of August 24, 2015. Ms. Vignone’s e-mail directed Patent Owner ContentGuard Holdings, Inc. to “file a paper indicating the following: (1) ContentGuard does not oppose the Motion for Joinder provided the conditions [previously specified by ContentGuard to Apple] are acceptable to the panel; and (2) ContentGuard elects to waive filing a Preliminary Response.”

ContentGuard does not oppose Apple’s motion to join CBM2015-00040 subject to the conditions: (1) the current schedule remains in place; (2) discovery is limited to the scope previously agreed to by ContentGuard and Google, namely the cross-examination depositions of experts; and (3) Apple’s participation in briefing, depositions, and oral argument is limited to sharing the briefing and time allotted to Google. ContentGuard also consents to Apple participating as a full party, subject to the same conditions, in the event that Google ends its participation.

In view of the above, and to allow the Board to issue a decision on joinder and the Petition, ContentGuard hereby waives its right to file a Preliminary Response in this proceeding, while reserving its right to do so if joinder is denied.

Respectfully submitted,

FITCH EVEN TABIN & FLANNERY, LLP

Dated: August 25, 2015

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing CONTENTGUARD HOLDINGS INC.'S RESPONSE TO PETITIONER'S MOTION FOR JOINDER TO CBM2015-00040 was served electronically via email on August 25, 2015, in their entireties on the following counsel of record for Petitioner:

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