

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FORD MOTOR COMPANY, JAGUAR LAND ROVER NORTH AMERICA LLC, VOLVO CARS OF NORTH AMERICA LLC, TOYOTA MOTOR NORTH AMERICA, INC., AMERICAN HONDA MOTOR CO., INC., NISSAN NORTH AMERICA INC., and SUBARU OF AMERICA INC.

Petitioners

v.

CRUISE CONTROL TECHNOLOGIES LLC

Patent Owner

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Case IPR2014-00281

Patent 6,324,463

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**PATENT OWNER'S MOTION FOR JOINDER OF RELATED *INTER PARTES* REVIEW PROCEEDINGS - IPR2014-00279, IPR2014-00280, IPR2014-00281, IPR2014-00289, and IPR2014-00291**

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Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. § 42.122(b), Patent Owner Cruise Control Technologies LLC (“Patent Owner”) files this Motion for Joinder of Related *Inter Partes* Review Proceedings (“IPRs”), IPR2014-00279, IPR2014-00280, IPR2014-00281, IPR2014-00289, and IPR2014-00291. No fee is required for consideration for this Motion, but if any fee is due, the Patent Office is authorized to charge Deposit Account 50-4075 (Customer No. 67050) the necessary fee.

#### **I. RELIEF REQUESTED**

By this Motion, Patent Owner requests joinder of related *inter partes* review proceedings, IPR2014-00279, IPR2014-00280, IPR2014-00281, IPR2014-00289, and IPR2014-00291, and an order requiring Petitioner to identify a single lead counsel authorized to speak on its behalf and a backup counsel designated to speak for Petitioner and lead counsel. If Petitioner opposes joinder or the Patent Trial and Appeal Board (“the Board”) denies this motion, then Patent Owner requests that the Board deny each of the five petitions filed by Petitioner with respect to U.S. Patent No. 6,324,463 (the “463 Patent”), because Petitioner has failed to comply with § 42.10(a) and has violated, and admits it will continue to violate, the “one petitioner, one voice” rule.

## II. STATEMENT OF MATERIAL FACTS

1. On December 20, 2013, Subaru of America, Inc. (“Subaru”), Toyota Motor North America, Inc. (“Toyota”), American Honda Motor Co., Inc. (“Honda”), Ford Motor Company (“Ford”), Jaguar Land Rover North America LLC (“Jaguar”), Volvo Cars of North America LLC (“Volvo”), and Nissan North America Inc. (“Nissan”) (collectively “Petitioner”) filed a first petition for *inter partes* review challenging claims 1–5, 12–16, 18–21, 23, 25–31, and 34–36 of U.S. Patent No. 6,324,463 (the “‘463 Patent”). IPR2014-00279, Paper 1, p. 1.
2. On December 20, 2013, Petitioner filed a second petition for *inter partes* review challenging claims 1-5, 12-16, 18, 19, 21, 25-28, and 34-36 of the ‘463 Patent. IPR2014-00280, Paper 1, p. 6.
3. On December 20, 2013, Petitioner filed a third petition for *inter partes* review challenging claims 1-5, 12-31, and 34-36 of the ‘463 Patent. IPR2014-00281, Paper 1, p. 1.
4. On December 23, 2013, Petitioner filed a fourth petition for *inter partes* review challenging claims 1-5, 12-15, 18-20, 25-28, and 34-36 of the ‘463 Patent. IPR2014-00289, Paper 1, p. 1.

5. On December 23, 2013, Petitioner filed a fifth petition for *inter partes* review challenging claims 1-5, 12-16, 18-19, 21, 25-31, and 34-36 of the '463 Patent. IPR2014-00291, Paper 1, p. 1.
6. All five petitions filed by Petitioner challenge at least claims 1-5, 12-15, 18-19, 25-28 and 34-36 of the '463 Patent.
7. All five petitions filed by Petitioner identify the same four claim terms for construction and propose the same constructions. IPR2014-00279, Paper 1, pp. 7-9; IPR2014-00280, Paper 1, pp. 11-13; IPR2014-00281, Paper 1, pp. 10-12; IPR2014-00289, Paper 1, pp. 8-10; IPR2014-00291, Paper 1, pp. 12-14.
8. Petitioner has filed declarations of David A. McNamara in support of its petitions for *inter partes* review in IPR2014-00279 (IPR2014-00279, Ex. 1007); IPR2014-00289 (IPR2014-00289, Ex. 1012); and IPR2014-00291 (IPR2014-00291, Ex. 1010).
9. Matthew D. Satchwell (Reg. No. 58,870) is identified as Lead Counsel for Petitioner in IPR2014-00279. IPR2014-00279, Paper 1, p. 3-4. Mr. Satchwell is identified as Backup Counsel for Petitioner in IPR2014-00280 (IPR2014-00280, Paper 1, p. 2-3); IPR2014-00281 (IPR2014-00281, Paper 1, p. 2-3); IPR2014-00289

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