

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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WEBASTO ROOF SYSTEMS, INC.,  
Petitioner,

v.

UUSI, LLC,  
Patent Owner.

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Case IPR2014-00648 (Patent 8,217,612 B2)  
Case IPR2014-00650 (Patent 7,579,802 B2)<sup>1</sup>

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Before GLENN J. PERRY, HYUN J. JUNG, and GEORGE R. HOSKINS,  
*Administrative Patent Judges.*

PERRY, *Administrative Patent Judge.*

DECISION  
Denying Motions for Joinder  
*37 C.F.R. § 42.122*

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<sup>1</sup> This decision addresses issues that are identical in two cases. The parties are not authorized to use this heading style in their papers.

IPR2014-00648 (Patent 8,217,612 B2)

IPR2014-00650 (Patent 7,579,802 B2)

Petitioner Brose North America, Inc. (“Brose”) filed *inter partes* review petitions in Cases IPR2014-00416 (“the ’416 review”) and IPR2014-00417 (“the ’417 review”). Several months later, Petitioner Webasto Roof Systems, Inc. (“Webasto”) filed *inter partes* review petitions in Cases IPR2014-00648 (“the ’648 review”), IPR2014-00649 (“the ’649 review”), and IPR2014-00650 (“the ’650 review”), including some challenges that overlapped with Petitioner Brose’s challenges. After decisions to institute trials with respect to ’416 and ’417 reviews, but before any decision to institute with respect to the ’648, ’649 and ’650 reviews, Petitioner Webasto moved for joinder<sup>2</sup> of the ’648 review with the ’416 review and for joinder<sup>3</sup> of the ’650 review with the ’417 review in order to “partially consolidate” overlapping grounds.

Arguments were made by both Petitioner Webasto and Patent Owner with respect to each requested joinder. *See* IPR2014-00648, Papers 12 and 13; and IPR2014-00650, Papers 12 and 13.

Decisions to Institute were filed on October 17, 2014 with respect to the ’648 and ’650 reviews. The decisions did not institute a trial with respect to any of the overlapping grounds.

In order to determine the parties’ positions with respect to joinder after issuance of Decisions to Institute in the ’648 and ’650 *inter partes* reviews, the panel initiated a conference call which was held on October 27, 2014. That conference call included counsel for Petitioner Brose, Petitioner Webasto, and Patent Owner. During the conference call, Petitioner Webasto

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<sup>2</sup> IPR2014-00648, Paper 11.

<sup>3</sup> IPR2014-00650, Paper 11.

IPR2014-00648 (Patent 8,217,612 B2)

IPR2014-00650 (Patent 7,579,802 B2)

indicated that, based on changed circumstances, it is no longer interested in joining as a party the '416 and '417 *inter partes* reviews.

Accordingly, it is

ORDERED that Petitioner's motions for joinder are DENIED.

IPR2014-00648 (Patent 8,217,612 B2)

IPR2014-00650 (Patent 7,579,802 B2)

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