

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC. *et al.*  
Petitioners,

v.

STRAIGHT PATH IP GROUP, INC.  
Patent Owner

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Case IPR2015-01011  
Patent 6,108,704

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**JOINT MOTION FOR ENTRY OF JOINT STIPULATED ORDER**

## I. INTRODUCTION

Cisco Systems, Inc., AVAYA, Inc. and Patent Owner hereby move for the entry of a Joint Stipulated Order allowing joinder of the present petition for *inter partes* review **IPR2015-01011** (the “PETITIONER IPR”) with **IPR2014-01366** (the “SAMSUNG IPR”), filed by Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, “Samsung”). The PETITIONER IPR is identical to the SAMSUNG IPR in all substantive respects, includes identical exhibits to the SAMSUNG IPR, and relies upon the same expert declarant as the SAMSUNG IPR. Samsung does not oppose this motion or the proposed order. The identical Joint Stipulated Order is being separately requested in *LG Electronics, Inc., et al. v. Straight Path IP Group, Inc.*, IPR2015-01017. Good cause exists to enter the Joint Stipulated Order, as it will join and consolidate the PETITIONER IPR with the SAMSUNG IPR in a manner that mitigates disruption and conserves party and judicial resources.

## II. JOINT STIPULATED ORDER

Cisco Systems, Inc., AVAYA Inc., LG Electronics, Inc., Toshiba Corporation, and VIZIO, Inc. (collectively “Petitioner”) and Patent Owner propose a joinder order for consideration by the Board as follows, which Samsung does not oppose:

1. The PETITIONER IPR will be instituted and will be joined with the SAMSUNG IPR on the same grounds as those for which the SAMSUNG IPR has been instituted. Grounds not instituted because the SAMSUNG IPR failed to establish a reasonable likelihood of prevailing will be similarly denied in the PETITIONER IPR.

2. The scheduling order for the SAMSUNG IPR will apply to the joined proceeding.

3. Throughout the proceeding, Samsung and Petitioner will file papers as consolidated filings, except for motions that do not involve the other party, in accordance with the Board's established rules regarding page limits. So long as they both continue to participate in the merged proceeding, Samsung and Petitioner will identify each such filing as a Consolidated Filing and will be responsible for completing all consolidated filings.

4. Petitioner will refrain from requesting or reserving any additional depositions or deposition time.

5. Samsung and Petitioner will jointly conduct the cross examination of any given witness produced by Straight Path and the redirect of any given witness produced by Samsung or Petitioner within the timeframe normally allotted by the rules for one party. Samsung and Petitioner will not receive any separate cross-examination or redirect time.

6. Straight Path will conduct any cross examination of any given witness jointly produced by Samsung or Petitioner and the redirect of any given witness produced by Straight Path within the time frame normally allotted by the rules for one cross-examination or redirect examination.
7. Samsung and Petitioner agree not to request additional oral hearing time solely on the basis of the participation of multiple petitioners.
8. Petitioner will assume a second-chair role as long as Samsung remains in the proceeding. Should Samsung cease to be in the proceeding, Petitioner will consolidate its activities with the remaining petitioners for the remainder of the proceeding consistent with the applicable rules and the direction of the Board.

### **III. CONCLUSION**

For the foregoing reasons, Cisco Systems, Inc., AVAYA, Inc. and Patent Owner respectfully request that the Board GRANT this motion and enter the Joint Stipulated Order joining and consolidating PETITIONER IPR and SAMSUNG IPR.

Dated: May 6, 2015

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