UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC. Petitioner,

V.

ATI TECHNOLOGIES ULC. Patent Owner.

Case IPR2015-01620

Patent 7,095,945

PATENT OWNER'S OPPOSITION TO MOTION FOR JOINDER

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board

U.S. Patent and Trademark Office P.O. Box 1450

Alexandria, VA 22313-1450



Table of Contents

I. I	ntroduction	1
II. I	Background	2
III. A	Argument	3
	LG has not met its burden in demonstrating why it should be entitled to a cond-bite at the apple."	3
	LG is not entitled to use the First Petition's Institution Decision as a roadma its Second Petition.	
	LG fails to provide a good cause or reason to warrant a "second bite at the ble."	6
3.	The facts of this case merit denial of joinder.	8
B.	The Board should deny LG's Motion because joinder will prejudice ATI1	2
	The Board should deny LG's Motion because the statute does not authorize joinder of the same party to an instituted IPR	4
IV. (Conclusion1	5



Table of Authorities

Cases

Amneal Pharm., LLC v. Endo Pharm. Inc.,	
IPR2014-01365, Paper 13 (Feb. 4, 2015)	6
Ariosa Diagnostics v. Isis Innovation, Ltd.,	
IPR2013-00250, Paper 25 (Sept. 3, 2013)	7
Butamax Advanced Biofuels LLC. v. Gevo, Inc.,	
IPR2014-00581, Paper 8 (Oct. 14, 2015)	4
Dell Inc. v. Network-1 Security Sols., Inc.,	
IPR2013-00385, Paper 17 (July 29, 2013)	11, 12
Ericsson Inc. et al. v. Intellectual Ventures II LLC,	
IPR2015-01077, Paper 11 (Jul. 10, 2015)	7
Medtronic, Inc. et al. v. Endotach LLC,	
IPR2014-00695, Paper 18 (Sept. 25, 2014)	, 5, 8, 13
Microsoft Corp. v. Proxyconn, Inc.,	
IPR2013-00109, Paper 15 (Feb. 25, 2013)	6
Oxford Nanopore Technologies Ltd. v. University of Washington,	
IPR2015-00057, Paper 10 (Apr. 27, 2015)	11
Samsung Electronics Co. Ltd. et al. v. Affinity Labs of Texas, LLC,	
IPR2015-00820 (May 15, 2015)	4
Samsung Electronics, et al. v. Rembrandt Wireless Tech., LP,	
IPR2015-00555, Paper 20 (Jun. 19, 2015)	6, 9



Samsung v. Affinity, IPR2015-00820, Paper 12 (May 15, 2015)	10
Samsung v. Rembrandt, IPR2015-00555, Paper 20 (Jun. 19, 2015)	8, 9
Samsung v. Virginia, IPR2014-00557, Paper 10 (Jun. 13, 2014)	13
SAP Am. Inc. v. Clouding IP, LLC, IPR2014-00306, Paper 13 (May 19, 2014)	12
Skyhawke Tech., LLC v. L&H Concepts, LLC, IPR2014-01485, Paper 13 (Mar. 20, 2015)	14
Sony Corp. and Hewlett-Packard Co. v. Network-1 Security Sols., Inc., IPR2013-00495, Paper 13 (Sept. 16, 2013)	12
Sony Corp. v. Yissum, IPR2013-00327, Paper 15 (Sept. 24, 2013)	7
Sony Corp. v. Yissum, IPR2013-00327, Paper 4 (Jul. 3, 2013)	7, 14
Target Corp. v. Destination Maternity Corp., IPR2014-00508, Paper 3 (Mar. 14, 2014).	8
Target Corp. v. Destination Maternity Corp., IPR2014-00508, Paper 31 (Feb. 12, 2015)	8
Toyota Motor Corp. v. American Vehicular Sciences LLC, IPR2015-00262, Paper 10 (Jan. 29, 2015)	5, 9
ZTE Corp. et al. v. ContentGaurd Holdings, Inc., IPR2013-00454, Paper 12 (Sept. 25, 2013)	5



Statutes

35 U.S.C. § 315(b)	. passim
35 U.S.C. § 315(c)	1, 4, 14
Rules	
37 C.F.R. § 42.20(c)	3



DOCKET A L A R M

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

