

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIRIUS XM RADIO INC.,

Petitioner,

v.

DRAGON INTELLECTUAL PROPERTY, LLC,

Patent Owner.

Case IPR2015-01735
U.S. PATENT NO. 5,930,444

**PETITIONER'S RESPONSE TO PATENT OWNER'S MOTION FOR
COUNSEL TO WITHDRAW**

On November 11, 2015, Patent Owner Dragon Intellectual Property, LLC (“Dragon”) filed a Motion for Counsel to Withdraw from the Proceeding and Permit Substitution of Counsel (“Motion”) requesting that Dragon’s designated counsel, Jason S. Angell and Robert E. Freitas, be allowed to withdraw from the present proceeding, and new counsel, Kai Zhu, be designated lead counsel to represent Dragon in this proceeding.

Sirius XM does not oppose the pending Motion. However, Sirius XM understands that petitioner DISH Network (“DISH”), in *DISH Network, LLC v. Dragon Intellectual Property, LLC*, IPR2015-00499 (“DISH Petition”), has not opposed the same Withdrawal Request filed by Dragon, on certain conditions—specifically, that Dragon timely make available for deposition Dragon’s expert Adam Goldberg. DISH Petition, Paper 16. Sirius XM agrees with DISH’s position. Sirius XM further expressly reserves and does not waive its right to pursue attorneys’ fees and costs from either Mr. Angell or Mr. Freitas, in the co-pending District Court action (*Dragon Intellectual Property, LLC v. Sirius XM Radio Inc.*, No. 13-2067-RGA (D. Del.)), including any attorneys’ fees and costs related to this IPR.

Dated: November 12, 2015

Respectfully submitted,

/Jonathan S. Caplan/

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Attorneys for Petitioner,

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CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that on the 12th day of November, 2015, a complete and entire copy of the foregoing “PETITIONER’S RESPONSE TO PATENT OWNER’S MOTION FOR COUNSEL TO WITHDRAW” was served on the patent owner and counsel via electronic mail at the addresses below:

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