

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIERRA WIRELESS AMERICA, INC., SIERRA WIRELESS, INC. AND RPX
CORP.

Petitioner

v.

M2M SOLUTIONS LLC
Patent Owner

Patent No. 8,648,717
Issue Date: February 11, 2015
Title: PROGRAMMABLE COMMUNICATOR

Inter Partes Review No. Unassigned

MOTION FOR JOINDER TO RELATED INSTITUTED *INTER PARTES*
REVIEW (37 C.F.R. § 42.122(b))

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I. Statement of Relief Requested

Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. § 42.122(b), Petitioners Sierra Wireless America Inc., Sierra Wireless Inc. and RPX Corp. seek with this Motion to have its petition for *inter partes* review of U.S. Patent No. 8,648,717 (“the ‘717 patent”), filed contemporaneously herewith, joined with the Sierra Wireless America Inc., Sierra Wireless Inc. and RPX Corp. v. M2M Solutions LLC, Case No. IPR2015-01823, *inter partes* review, which was instituted on March 8, 2016.

II. Statement of Material Facts

1. On August 26, 2014, Patent Owner, M2M Solutions LLC (“M2M”), filed a presently copending lawsuit against Sierra Wireless America, Inc. and Sierra Wireless, Inc., involving the ‘717 patent (*M2M SOLUTIONS LLC v. SIERRA WIRELESS AMERICA, INC., et al.*, C.A. No. 1:14-cv-01102-RGA) in the United States District Court for the District of Delaware (“the ‘717 District Court Action”). The ‘717 District Court Action is currently stayed.

2. On August 26, 2015, Petitioners filed a petition seeking *inter partes* review of claims 1-3, 5-7, 10-24, and 29-30 of the ‘717 Patent. *Sierra Wireless America Inc., Sierra Wireless Inc. and RPX Corp. v. M2M Solutions LLC*, Case No. IPR2015-01823 (“IPR2015-01823”), Paper 1.

3. On March 8, 2016, the Patent Trial and Appeal Board instituted *inter partes* review of claims 1, 3, 5, 6, 10-13, 15-24, and 29 of the ‘717 patent, and

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