

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC.,
Petitioner

v.

INNOVATIVE DISPLAY TECHNOLOGIES LLC.,
Patent Owner.

Case No. IPR2016-_____
U.S. Patent No. 7,537,370

**PETITIONER'S MOTION FOR JOINDER UNDER 35 U.S.C. § 315(c) AND
37 C.F.R. §§ 42.22, 42.122(b)**

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TABLE OF CONTENTS

	<u>Page</u>
I. Introduction	1
II. Background	1
III. Argument.....	2
A. Legal Standard.....	2
B. The Motion for Joinder Is Timely	3
C. The Relevant Factors Weigh in Favor of Joinder	3
1. Joinder is Appropriate	4
2. The VIZIO Petition Proposes No New Grounds of Unpatentability	6
3. Joinder Will Not Negatively Impact the K.J. Pretech IPR Trial Schedule	6
4. Discovery and Briefing Can Be Simplified	6
IV. Conclusion.....	7

TABLE OF AUTHORITIES

Page(s)

Cases

<i>Dell Inc. v. Network-1 Sec. Sols., Inc.</i> , IPR2013-00385, Paper 17 (July 29, 2013)	4
<i>Hyundai Motor Co. v. Am. Vehicular Scies. LLC</i> , IPR2014-01543, Paper No. 11 (Oct. 24, 2014)	3
<i>K.J. Pretech Co., Ltd v. Innovative Display Technologies LLC</i> , IPR2015-01867, Paper 11 (Dec. 22, 2015).....	5
<i>K.J. Pretech Co., Ltd v. Innovative Display Technologies LLC</i> , IPR2015-01867, Paper 15 (Mar. 17, 2016)	1, 2, 3
<i>Kyocera Corp. v. Softview LLC</i> , IPR2013-00004, Paper 15 (April 24, 2013)	3
<i>Macronix Int'l Co. v. Spansion</i> , IPR2014-00898, Paper 15 (Aug. 13, 2014)	3
<i>Sony Corp. v. Memory Integrity, LLC</i> , IPR2015-01353, Paper 11 (Oct. 15, 2015)	7

Statutes

35 U.S.C. § 315(b)	2
35 U.S.C. § 315(c)	2

Regulations

37 C.F.R. § 1.7(a).....	3
37 C.F.R. § 42.1	3
37 C.F.R. § 42.53	7
37 C.F.R. § 42.101(b)	2
37 C.F.R. § 42.122	3

TABLE OF AUTHORITIES
(continued)

	<u>Page(s)</u>
37 C.F.R. § 42.122(b)	2

I. Introduction

Petitioner VIZIO, Inc. (“VIZIO”) requests institution of review based on its Petition for *Inter Partes* Review (the “VIZIO Petition”) of U.S. Patent No. 7,537,370 (“the ’370 Patent”) filed herewith and joinder with the *inter partes* review in *K.J. Pretech Co., Ltd v. Innovative Display Technologies LLC*, IPR2015-01867 (the “K.J. Pretech IPR”). The VIZIO Petition’s grounds of unpatentability are identical the grounds of the petition in the K.J. Pretech IPR on which the Board instituted trial. *See* K.J. Pretech IPR, Petition, Paper 2 (Sept. 11, 2015) (the “K.J. Pretech Petition”); K.J. Pretech IPR, Institution Decision, Paper 15 (Mar. 17, 2016) (the “Institution Decision”). The only substantive differences between the VIZIO and K.J. Pretech Petitions are that the VIZIO Petition omits the grounds on which the Board did not institute review in the K.J. Pretech IPR and limits and conforms its petition to the grounds on which the Board did institute review. As described below, joinder is warranted because it will efficiently resolve the patentability of the challenged claims of the ’370 Patent in a single proceeding, without prejudicing the parties to the K.J. Pretech IPR or adding to the burden of the Board.

II. Background

On December 31, 2013, Patent Owner Innovative Display Technologies sued VIZIO for infringement of the ’370 Patent in the District of Delaware in

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