

Patent No. 8,648,717

Paper No. \_\_\_\_\_

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

Petitioners

v.

M2M SOLUTIONS LLC  
Patent Owner

Patent No. 8,648,717  
Issue Date: February 11, 2014  
Title: PROGRAMMABLE COMMUNICATOR

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*Inter Partes* Review No. Unassigned

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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”) (the “third ‘717 Petition”), filed contemporaneously herewith, joined with the Telit Wireless Solutions, Inc. v. M2M Solutions LLC, Case No. IPR2016-00055 (the “Telit IPR”), *inter partes* review, which was instituted on April 22, 2016. The third ‘717 petition is narrowly tailored to the identical grounds of unpatentability that are subject of the Telit IPR, and is practically a copy of the petition in the Telit IPR with respect to the adopted grounds, including the same analyses, prior art references, exhibits, and expert testimony as in the Telit IPR. The grounds not instituted in the Telit IPR – with the exception of the grounds on which Telit filed a Request for Rehearing – have been removed from the third ‘717 Petition. Thus, the third ‘717 Petition raises no issues beyond the instituted grounds of the Telit IPR or the grounds on which Telit has requested rehearing. Petitioners note that they agree to be bound by the Board’s decision on the Request for Rehearing. IPR2016-00055, Paper 11.

## **II. Statement of Material Facts**

1. On August 26, 2014, Patent Owner, M2M Solutions LLC (“M2M”), filed a presently co-pending lawsuit against Sierra Wireless America, Inc. and

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