

**UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

**LG ELECTRONICS, INC.**

**Petitioner**

**v.**

**FASTVDO LLC,**

**Patent Owner**

**Patent No. 5,850,482**

**Inter Partes Review (IPR) No. \_\_\_\_\_**

**PETITIONER'S REQUEST FOR JOINDER WITH IPR2016-01203  
UNDER 35 U.S.C. 315(c) AND 37 C.F.R. §§ 42.22 AND 42.122(b)**

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## **I. Statement of Relief Requested**

Petitioner LG Electronics, Inc. (“LGE”) respectfully submits this Request for Joinder together with its Petition for *Inter Partes* Review of U.S. Patent No. 5,850,482 (“Petition”). Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. § 42.122(b), LGE requests *inter partes* review and joinder with the recently granted IPR in Apple Inc. v FastVDO LLC Case IPR2016-01203 (the ‘1203 IPR) for the same patent in which trial was instituted on the ‘1203 IPR petition on December 16, 2016.

LGE’s Petition in all material respects presents the same grounds as the petition in the ‘1203 IPR – no new arguments, no new patent claims and no new grounds of unpatentability are added by LGE’s Petition. Furthermore LGE accepts all claim constructions made by the Board in the ‘1203 IPR.

LGE’s Request for Joinder and accompanying Petition are being filed within one month of the decision instituting trial in the ‘1203 IPR, and are therefore timely.

LGE is filing this petition and joinder Request to ensure that the trial is completed in the event that the current petitioner in the ‘1203 IPR reach settlement with the Patent Owner. Joinder is appropriate here because LGE’s Petition is narrowly drafted to challenge the same claims of USP 5,850,482 (the “‘482 Patent”) that were challenged in the ‘1203 IPR:

1. Claims 1–3, 5–14, 16, 17, 22–26, 28, and 29 of the '482 patent as unpatentable under 35 U.S.C. § 103 over Kato; and

2. Claims 1–3, 5–14, 16, 17, 22–26, 28, and 29 of the '482 patent as unpatentable under 35 U.S.C. § 103 over Fiala, Fazel, and Fazel '622.

Additionally, joinder will not adversely impact the trial schedule in the '1203 IPR, as:

- a. LGE's legal theories and claim charts are identical to the legal theories and claim charts in the '1203 IPR;
- b. LGE relies on the same expert declaration relied on by the existing petitioner in the '1203 IPR;
- c. No additional expert discovery will be required if joinder is allowed, simplifying discovery;
- d. LGE will adhere to all applicable deadlines set forth by the Scheduling Order currently in place in the '1203 IPR;
- e. LGE will coordinate with counsel for Apple in the '1203 IPR regarding the consolidation of all filings and will not submit any separate filings unless, after consultation with Apple, LGE needs to preserve a position for the record, in which case LGE would limit any additional filing to five (5) pages or less;

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