

Chang, Joni

From: Trials
Sent: Thursday, November 30, 2017 5:01 PM
To: Chang, Joni; Arpin, James; Bisk, Jennifer
Cc: Trials
Subject: FW: IPR2017-00714 Petitioner Request for Authorization

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Thanks
Andrew

From: Colic, Nick [mailto:Nick.Colic@dbr.com]
Sent: Thursday, November 30, 2017 4:51 PM
To: Trials <Trials@USPTO.GOV>
Cc: Beyer, Carrie <Carrie.Beyer@dbr.com>; Papst - IPR <PapstIPR@fitcheven.com>; Devkar, Andrew V. <andrew.devkar@morganlewis.com> (andrew.devkar@morganlewis.com) <andrew.devkar@morganlewis.com>; Bregman, Dion M. (dion.bregman@morganlewis.com) <dion.bregman@morganlewis.com>; Scott Miller (SMiller@sheppardmullin.com) <SMiller@sheppardmullin.com>; Darren Franklin (DFranklin@sheppardmullin.com) <DFranklin@sheppardmullin.com>; Rupp, Brian C. <Brian.Rupp@dbr.com>
Subject: IPR2017-00714 Petitioner Request for Authorization

Dear Board,

Joined Petitioners Samsung and Olympus are seeking authorization to allow Joined Petitioners to make filings and otherwise participate in this IPR in light of the changed circumstances for the Original Petitioner ZTE (USA).

In particular, Original Petitioner is in the process of finalizing settlement with Patent Owner and does not intend to file the Petitioner's Reply. In ZTE's place, the Joined Petitioners intend to file the Petitioner's Reply, which is currently due on December 22, 2017. The Joined Petitioners may also take the deposition of Patent Owner's expert prior to submitting the Reply. Based on our discussions with lead counsel for ZTE, our understanding is that Original Petitioner does not oppose the Joined Petitioners participating in the IPR, including taking the depositions of Patent Owner's expert and filing the Petitioner's Reply. Moreover, Original Petitioner does not intend to separately take the deposition or file the Reply, and our understanding is that Original Petitioner will instead rely on the Joined Petitioners' deposition and Reply in the unlikely event the settlement is not able to be finalized.

The Joined Petitioners have conferred with Patent Owner, who does not oppose the Joined Petitioners' participation in the IPR provided that ZTE and the Joined Petitioners will not be filing separate Replies or seeking separate depositions (as mentioned above, this is not the case).

Original Petitioner ZTE recently filed Updated Mandatory Notices, on November 27, 2017, designating counsel for Joined Petitioner Samsung as lead counsel for Petitioners. However, the order granting joinder indicates that "no filing by Petitioner Olympus and Samsung alone will be allowed without prior authorization by the Board." Accordingly, the Joined Petitioners seek an order or other appropriate authorization from the Board to make filings and otherwise actively participate in this IPR. The Board recently granted a similar unopposed request by Joined Petitioner Olympus in IPR2017-00415 and -00443, authorizing Olympus to file the Petitioner's Reply, participate in discovery, and present oral

argument at the hearing in each IPR proceeding. *LG Electronics, Inc. v. Papst Licensing GmbH*, IPR2017-00415, Order - Conduct of the Proceeding, Paper 17 (Nov. 6, 2017).

As a further administrative detail, Petitioner's Lead Counsel also needs to be granted filing privileges in PTAB E2E for IPR2017-00714, unless the Board prefers another means of allowing Joined Petitioners to make filings.

We look forward to your reply and are available for a telephone conference if requested by the Board.

Best regards,

Nick Colic
Counsel for Petitioner

Nick Colic
Drinker Biddle & Reath LLP
1500 K Street, N.W.
Washington, DC 20005-1209
(202) 230-5115 *office*
(202) 842-8465 *fax*
(312) 259-6324 *mobile*
Nick.Colic@dbr.com
www.drinkerbiddle.com

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