

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES, INC.,

Petitioner,

v.

Godo Kaisha IP Bridge 1,
Patent Owner.

Case: *To be Assigned*

Patent 7,126,174 B1

MOTION FOR JOINDER PURSUANT TO

35 U.S.C. § 315 (c) 37 C.F.R. §§ 42.22 AND 42.122(b)

Mail Stop "PATENT BOARD"

Patent Trial and Appeal Board U.S.

Patent and Trademark Office P.O.

Box 1450

Alexandria, VA 22313-1450

TABLE OF CONTENTS

	<u>Page</u>
I. STATEMENT OF THE PRECISE RELIEF REQUESTED	1
II. STATEMENT OF MATERIAL FACTS	2
III. STATEMENT OF REASONS FOR RELIEF REQUESTED	3
A. Joinder will not impact the Board's ability to complete the review in a timely manner	4
B. Joinder will promote efficiency by consolidating issues, avoiding duplicate efforts, and preventing inconsistencies	5
C. Joinder will not prejudice IP Bridge.....	5
IV. CONCLUSION.....	6

TABLE OF AUTHORITIES

	Page(s)
CASES	
<i>Dell, Inc. v. Network-1 Security Solutions, Inc.</i> , IPR2013-00385	4
STATUTES	
35 U.S.C. § 103	2
35 U.S.C. § 315(c)	1, 3
35 U.S.C. § 316(a)(1).....	6
35 U.S.C. § 316(a)(11).....	4
OTHER AUTHORITIES	
37 C.F.R. § 42.22	1, 2
37 C.F.R. § 42.100(c).....	4, 6
37 C.F.R. § 42.122(a).....	3
37 C.F.R. § 42.122(b)	1, 2

I. STATEMENT OF THE PRECISE RELIEF REQUESTED

GlobalFoundries, Inc. (“Global”) respectfully submits this Motion for Joinder, together with a Petition for *Inter Partes* Review of U.S. Patent No. 7,126,174 B1 (“the ’174 Patent”) (“Petition”). Pursuant to 35 U.S.C. § 315(c), 37 C.F.R. §§ 42.22 and 42.122(b), Global requests institution of an *inter partes* review and joinder with the *inter partes* review concerning the same patent in *Taiwan Semiconductor Manufacturing Company Limited (“TSMC”) v. Godo Kaisha IP Bridge 1*, Case No. IPR2016-01247 (the “Second TSMC IPR”), which was instituted on January 4, 2017.

Global submits that: (1) joinder is appropriate because it will promote efficient determination of the validity of the ’174 Patent without prejudice to Godo Kaisha IP Bridge 1 (“IP Bridge”); (2) Global’s Petition includes grounds that are essentially the same as the ground instituted in the Second TSMC IPR; (3) joinder would not affect the pending schedule in the Second TSMC IPR nor increase the complexity of that proceeding, minimizing costs; and (4) Global is willing to act as an “understudy” to TSMC, only assuming an active role in the event TSMC settles with IP Bridge. Thus, Petitioner does not seek to alter the grounds upon which the Board has already found support in instituting the Second TSMC IPR, and joinder will have no impact on the existing schedule in the Second TSMC IPR.

This Motion for Joinder is timely under 37 C.F.R. §§ 42.22 and 42.122(b), as it is submitted within one month of the date on which the Second TSMC IPR was instituted.

II. STATEMENT OF MATERIAL FACTS

1. Godo Kaisha IP Bridge 1 is the owner of the '174 Patent.
2. On June 24, 2016, TSMC filed its petition for *inter partes* review of claims 1, 4, 8-12, 14, and 16 of the '174 Patent.
3. On January 4, 2017, a decision instituting *inter partes* review of claims 1, 4, 8-12, 14, and 16 of the '174 Patent was entered in a Second TSMC IPR (Paper No. 9, IPR2016-01247) on the grounds that claims 1, 4, 8-12, 14, and 16 were unpatentable over U.S. Patent No. 5,021,353 (“the '353 patent” or “Lowrey”) in view of U.S. Patent No. 5,539,229 (“the '229 patent” or “Noble”) under 35 U.S.C. § 103 or unpatentable under 35 U.S.C. § 103 over Lowry in view of U.S. Patent No. 4,506,434 (“the '434 patent” or “Ogawa).
4. On January 4, 2017, a decision instituting *inter partes* review of claims 1-3, 5-7, and 9 of the '174 Patent was entered in the First TSMC IPR (Paper No. 10, IPR2016-01246) on the grounds that claims 1-3, 5-7, and 9 were unpatentable over U.S. Patent No. 5,153,145 (“the '145 patent” or “Lee”) in view of Noble under 35 U.S.C. § 103 or unpatentable under 35 U.S.C. § 103 over Lee in view of Ogawa.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.