

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES U.S. INC.,

Petitioner,

v.

Godo Kaisha IP Bridge 1,
Patent Owner.

Case: *To be Assigned*

Patent 6,197,696

MOTION FOR JOINDER PURSUANT TO

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

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I. STATEMENT OF THE PRECISE RELIEF REQUESTED

GlobalFoundries U.S. Inc. (“Global”) respectfully submits this Motion for Joinder, together with a Petition for *Inter Partes* Review of U.S. Patent No. 6,197,696 B1 (“the ’696 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. IPR2016-01377 (the “Second TSMC IPR”), which was instituted on January 18, 2017.

Global submits that: (1) joinder is appropriate because it will promote efficient determination of the validity of the ’696 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 First TSMC IPR was instituted.

II. STATEMENT OF MATERIAL FACTS

1. Godo Kaisha IP Bridge 1 is the owner of the '696 Patent.
2. On July 12, 2016, TSMC filed its petition for *inter partes* review of claims 10-12 of the '696 Patent.
3. On July 12, 2016, TSMC concurrently filed related petitions for *inter partes* review of various claims of the '696 Patent in IPR2016-01376 ("the First TSMC IPR"), IPR2016-01378 ("the Third TSMC IPR"), and IPR2016-01379 ("the Fourth TSMC IPR").
4. On January 18, 2017, a decision instituting *inter partes* review of claims 10-12 of the '696 Patent was entered in the Second TSMC IPR (Paper No. 11, IPR2016-01377) on the grounds that claims 10-12 were unpatentable over U.S. Patent No. 6,140,226 ("the '226 patent" or "Grill") in view of U.S. Patent No. 5,592,024 ("the '024 patent" or "Aoyama") under 35 U.S.C. § 103.
5. On January 18, 2017, a decision instituting *inter partes* review of claims 13 and 15 of the '696 Patent was entered in the First TSMC IPR (Paper No. 11, IPR2016-01376) on the grounds that claims 13 and 15 were unpatentable

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