

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LG Electronics, Inc.

Petitioner,

v.

Papst Licensing GmbH & Co., KG,

Patent Owner

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CASE: Unassigned

Patent No. 9,189,437

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**PETITIONER'S MOTION FOR JOINDER PURSUANT TO  
35 U.S.C. § 315(c) AND 37 C.F.R. §§ 42.22 and 42.122(b)**

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## **I. STATEMENT OF PRECISE RELIEF REQUESTED**

Petitioner LG Electronics, Inc. (“LG”) submits this Motion for Joinder concurrently with a Petition for *inter partes* review (“IPR”) of U.S. Patent No. 9,189,437 (“Petition”) based on grounds identical to those presented in *Samsung Electronics Co., Ltd., et al. v. Papst Licensing GmbH & Co., KG*, IPR2016-01733 (the “Samsung IPR”). The Samsung IPR was instituted on February 8, 2017. Samsung IPR, Paper 7 (Decision Granting Institution of *Inter Partes* Review) (Feb. 8, 2017), at 2, 39. Pursuant to 35 U.S.C. § 315(c), LG respectfully requests and moves that its Petition be instituted and joined with the Samsung IPR, under the exact same trial schedule. The petitioners in the Samsung IPR consent to LG’s request for joinder.

Joinder is appropriate because: (a) LG’s Petition includes the same substance as the petition in the Samsung IPR (“Samsung Petition”); (b) joinder will have no impact on the existing schedule in the Samsung IPR; and (c) joinder will promote the efficient resolution of issues, specifically whether U.S. Patent No. 9,189,437 (“the ’437 patent”) is unpatentable over well-known prior art.

Absent joinder, LG will be prejudiced. In view of the potential impact on pending litigation against LG brought by Patent Owner relative to the ’437 patent and other related patents, LG has a significant interest in the underlying patentability determination at issue in the Samsung IPR. Joinder would protect

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