

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NIDEC CORPORATION AND  
AMERICAN HONDA MOTOR CO., INC.

Petitioners

v.

INTELLECTUAL VENTURES II LLC

Patent Owner

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Case No. IPR2018-00597

U.S. Patent No. 7,067,952

Title: Stator Assembly Made from a Molded  
Web of Core Segments and Motor Using Same

**MOTION FOR JOINDER UNDER 35 U.S.C. § 315(c),  
37 C.F.R. § 42.122(b) TO RELATED  
INTER PARTES REVIEW IPR2017-01497**

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

Petitioners Nidec Corporation (“Nidec”) and American Honda Motor Co., Inc. (“Honda”) respectfully submit this Motion for Joinder together with a Petition for Inter Partes Review of U.S. Patent No. 7,067,952, filed contemporaneously herewith. On January 17, 2018, the Board instituted inter partes review of claims 10–12 of U.S. Patent No. 7,067,952 (“the ’952 Patent”) in *Toyota Motor Corporation and Denso Corporation v. Intellectual Ventures II LLC*, Case No. IPR2017-01497 (“the Toyota IPR”). Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. § 42.122(b), Nidec and Honda request institution of inter partes review for claims 10–12 of the ’952 Patent, and request joinder with the Toyota IPR. Petitioners seek institution and joinder of only claims and grounds of IPR2017-01497 the Board instituted. For claims 11 and 12 of Ground 1 in IPR2017-01497 not instituted, petitioners nonetheless kept the discussions of them in the petition and expert declaration to be consistent with IPR2017-01497 and to provide basis for later discussions of certain prior art in Grounds 2 and 3.

Nidec and Honda’s request for joinder is timely, and their Petition is substantively identical to the Petition in the Toyota IPR (Case No. IPR2017-01497 (Paper 3)). Nidec and Honda propose the same grounds for unpatentability that were presented, and instituted on, in the Toyota IPR, based on the same prior art. Joinder will streamline discovery and briefing, and will allow for efficient review

of the '952 Patent, without undue burden on the parties to the Toyota IPR. As the Board has noted, the Board “routinely grants motions for joinder where the party seeking joinder introduces identical arguments and the same grounds raised in the existing proceeding.” *Samsung Elecs., Co., Ltd., et al. v. Raytheon Co.*, Case No. IPR2016-00962, slip op. at 9 (PTAB Aug. 24, 2016) (Paper 12) (internal quotations and citations omitted) (emphasis in the original).

## **II. Statement of Material Facts and Related Proceedings**

1. On March 20, 2017, Intellectual Ventures II LLC (“IV”) filed a complaint with the International Trade Commission (“ITC”), alleging that Nidec, Honda, and other parties infringe the '952 Patent (“the 337-TA-1052 Investigation”). The investigation was instituted on April 28, 2017.

2. Toyota Motor Corporation and Denso Corporation filed a petition for *inter partes* review of the '952 Patent on June 9, 2017 (“the Toyota Petition”), challenging the patentability of claims 10–12 of the '952 Patent. *Toyota Motor Corporation and Denso Corporation v. Intellectual Ventures II LLC*. Case No. IPR2017-01497 (Paper 3).

3. On September 8, 2017, the ITC granted a motion that terminated the 337-TA-1052 investigation.

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