

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NIDEC CORPORATION AND AMERICAN HONDA MOTOR CO., INC.,
Petitioners,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

Case No. IPR2018-00597

Patent No. 7,067,952

**PATENT OWNER'S PRELIMINARY RESPONSE
AND STATEMENT OF CONSENT TO JOINDER WITH IPR2017-01497**

Patent Owner Intellectual Ventures II LLC (“IV”) submits this Preliminary Response to the Petition to institute an *inter partes* review of U.S. Patent No. 7,067,952 (“the ’952 Patent”). As explained below, IV consents to institution of this IPR and to the joinder of Nidec Corporation (“Nidec”) and American Honda Motor Co., Inc. (“Honda”) (collectively “Petitioners”) as petitioners to IPR2017-01497.

On February 15, 2018, Petitioners concurrently filed this Petition and a motion for joinder (Paper 4) with instituted proceeding IPR2017-01497. In their motion for joinder, Petitioners asserted that this “Petition is substantively identical to the Toyota IPR (Case No. IPR2017-01497) . . . and . . . propose[s] the same grounds for unpatentability that were presented, and instituted on, in the Toyota IPR, based on the same prior art.” Paper 4 at 1. Further, Petitioners agreed “to take an ‘understudy’ role in the joined proceeding, absent termination of the original petitioners,” and listed limitations on Petitioners’ participation in IPR2017-01497. *Id.* at 5–7.

IV maintains its position that IPR2017-01497 should not have been instituted. *See* IPR2017-01497 Paper 8. However, because the Board has instituted IPR2017-01497, IV believes that the institution of this IPR, coupled with the joinder of Nidec and Honda as petitioners to IPR2017-01497 (subject to the limitations on Nidec and Honda’s participation set forth in Petitioners’ motion for

joinder), will best “secure the just, speedy, and inexpensive resolution of every proceeding.” 37 C.F.R. § 42.1(b). Therefore, in the interest of administrative efficiency, and without conceding that this Petition meets the statutory threshold for institution under 35 U.S.C. § 314(a), IV consents to institution of this IPR and to joinder of Nidec and Honda as petitioners to IPR2017-01497, subject to the limitations on Nidec and Honda’s participation set forth in Petitioners’ motion for joinder.

Dated: April 5, 2018

/Brad Scheller/

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CERTIFICATE OF SERVICE

I certify that a copy of Patent Owner's Preliminary Response and Statement of Consent to Joinder with IPR2017-01497 is being served by electronic mail on the following counsel of record:

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