

## Vakili, Kamran

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**From:** Caplan, Jonathan S. <JCaplan@KRAMERLEVIN.com>  
**Sent:** Friday, December 7, 2018 12:53 PM  
**To:** trials@uspto.gov  
**Cc:** Redjaian, Babak; McPhie, David; Yorks, Ben; #FraunhoferIPRs [Int]; Caplan, Jonathan S.; ~Hedvat, Shannon; Baghdassarian, Mark; Price, Jeffrey H.  
**Subject:** IPR Nos. 2018-00681, 2018-00682, 2018-00689, 2018-00690  
**Attachments:** Google v. Seven Networks - PTAB-IPR2018-01117-1056.pdf

Your Honors,

Petitioner Sirius XM Radio Inc. respectfully requests authorization to submit a Notice of Supplemental Authority and argument regarding the recent Institution Decision in *Google LLC v. Seven Networks, LLC*, Case No. IPR2018-01117, Paper No. 20 (November 19, 2018) (publicly available on November 27, 2018). In particular, Petitioner requests permission to address the following regarding the *Google* Decision as they are highly relevant to Petitioner's pending Requests for Rehearing in each of the above-referenced petitions:

- Petitioner will explain that the law set forth in *Google* demonstrates that (1) under the Board's current Institution Decisions in each of the instant proceedings where the Board concluded that Liberty Media and Sirius XM Holdings are real parties in interest, Sirius XM should have been afforded the opportunity to amend those disclosures without any effect on the filing date of the petitions and (2) in any event, neither Liberty Media nor Sirius XM Holdings is a real party in interest.
- Petitioner will explain that the Board's discussion of this case in *Google* is misplaced and, in any event, irrelevant to Sirius XM's right to be afforded an opportunity to amend its disclosures.

Based on correspondence with Patent Owner, Patent Owner has indicated that it opposes Sirius XM's request.

Respectfully submitted,

Jonathan S. Caplan  
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Jonathan S. Caplan  
Partner and Co-chair, Intellectual Property

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