
From: Trials <Trials@USPTO.GOV>
Sent: Tuesday, August 6, 2019 4:46 PM
To: Jared Newton; Trials
Cc: 'Jennifer Bailey'; David Xue; Karineh Khachatourian; Steve Schlather; Adam P. Seitz; PTO-Edmonds; John Edmonds
Subject: RE: IPR2019-00127 and IPR2019-01107 - Motion for Joinder

[EXTERNAL EMAIL]

Counsel,

No call is necessary. Petitioner Canon may file a two-page sur-reply to address the issues identified in the email below. Petitioner shall file this email thread as an exhibit. Both the sur-reply and exhibit must be filed by August 13, 2019.

Regards,

Andrew Kellogg,
Supervisory Paralegal
Patent Trial and Appeal Board
USPTO
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Direct: 571-272-5366

From: Jared Newton <jarednewton@quinnemanuel.com>
Sent: Tuesday, August 6, 2019 1:20 PM
To: Trials <Trials@USPTO.GOV>
Cc: 'Jennifer Bailey' <jennifer.bailey@eriseip.com>; David Xue <david.xue@rimonlaw.com>; Karineh Khachatourian <karinehk@rimonlaw.com>; Steve Schlather <sschlather@ip-lit.com>; Adam P. Seitz <adam.seitz@eriseip.com>; PTO-Edmonds <pto-edmonds@ip-lit.com>; John Edmonds <jedmonds@ip-lit.com>
Subject: IPR2019-00127 and IPR2019-01107 - Motion for Joinder

Dear Board:

Petitioner Canon in the '127 proceeding requests authorization to file a two-page sur-reply to address the following issues raised in the reply that Petitioners Go-Pro and Garmin filed in connection with their motion for joinder in the '1107 proceeding:

1. GoPro and Garmin's argument that Canon is seeking a *per se* rule against joinder in circumstances involving different claim construction standards, which Canon believes is inaccurate.
2. GoPro and Garmin's reliance on *Priceline.com LLC and Booking.com B.V. v. DDR Holdings, LLC*, IPR2019-00440, which Canon believes is not applicable to the facts of this case because the original petitioner did not oppose joinder.

Canon has conferred with Patent Owner Cellspin, and Petitioners GoPro and Garmin. Cellspin does not oppose Canon's request for a sur-reply. GoPro and Garmin oppose. If the Board believes a conference call would be helpful, the parties

are available on Friday, August 9, between 2:30 and 4 pm ET. Counsel for Cellspin, GoPro, and Garmin are copied on this email.

Best Regards,

Jared Newton

Partner,

Quinn Emanuel Urquhart & Sullivan, LLP

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