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Subject: IPR 2022-00222
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Your Honors,

Patent Owner seeks authorization from the Board to (1) move to terminate IPR2022-00222 because Samsung is estopped from maintaining this IPR pursuant to at least 35 U.S.C. § 315(e)(1) and 316(b) in view of the Board's recent findings in IPR2021-01413 that Samsung and Apple are real parties in interest in that proceeding, involving the same patent, and that claims 1-7 of the patent are unpatentable. Presenting oral argument constitutes "maintain[ing] a proceeding before the Office" and would be prohibited should the Board determine that Samsung is estopped. 35 U.S.C. § 315(e) (1). The Board also has discretion to terminate IPRs pursuant to at least 35 U.S.C. § 315(d), 37 CFR § 42.72, and 37 CFR § 42.5.

Patent also requests the Board stay this IPR pursuant to at least 35 U.S.C. § 315(d) until the Board determines whether Samsung is estopped and prevented from maintain this proceeding under § 315 and therefore requests authorization to file a motion to stay the proceeding, including oral argument, until it determine whether this proceeding should be terminated.

Samsung opposes both requests.

Both parties are available to discuss these requests today between 2 and 4pm ET.

Best Regards,

Jennifer Hayes
Lead Counsel for Patent Owner
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