

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MAZDA MOTOR OF AMERICA, INC.,
SUBARU OF AMERICA, INC.,
VOLVO CAR USA, LLC,
Petitioners

v.

STRATOSAUDIO, INC.,
Patent Owner

IPR2022-00204
U.S. Patent No. 8,688,028

**STRATOSAUDIO, INC.'S WAIVER OF PATENT OWNER
PRELIMINARY RESPONSE**

Given the Board's institution of a related proceeding IPR2021-00716 brought by Volkswagen Group of America, Inc. (the "00716 IPR"), and based on the representations by petitioners Mazda Motor of America, Inc., Subaru of America, Inc., and Volvo Car USA, LLC (collectively, "Petitioners") in the Motion for Joinder (Paper 5) that (1) the petition is substantively identical to the 00716 IPR petition and does not add to, or change, any of the substantive arguments, (2) Petitioners will adhere to all applicable deadlines in the 00716 IPR, submit consolidated filings with Volkswagen, refrain from requesting any additional depositions or deposition time, and refrain from requesting additional oral hearing time, (3) Petitioners assume an understudy role while Volkswagen is in the proceedings, and (4) "[a]bsent a Board order precluding Volkswagen from making arguments that would otherwise be available to Petitioner, Petitioner will not advance any arguments separate from those advanced by Volkswagen in the consolidated filings," Patent Owner hereby waives its Patent Owner Preliminary Response pursuant to 37 CFR § 42.107(b) and does not oppose Petitioner's Motion for Joinder. Patent Owner maintains that the petitions do not show that the patent is invalid, for the reasons provided in Patent Owner's filings in the 00716 IPR. Patent Owner expressly reserves the right to maintain any and all arguments it raised in the 00716 IPR in the consolidated proceeding.

Dated: March 14, 2022

Respectfully submitted,

/John Scheibeler/ (Electronically Signed)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Waiver Of Patent Owner Preliminary Response pursuant to 37 CFR § 42.107(b) was served on March 14, 2022, by filing this document through the PTAB E2E System, as well as delivering a copy via electronic mail upon the following attorneys of record for Petitioners:

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