

From: [Garr, David](#)
To: [Trials](#)
Cc: [Gosselin, Christopher](#); [LeDonne, Eugene](#); [Murphy, Brian P.](#); [Herstoff, Jonathan](#); [Adam Yowell](#); cory.bell@finnegan.com; geron.panitch@finnegan.com; forrest.jones@finnegan.com; christina.yang@finnegan.com; [Chen, Peter \(External\)](#); [Aristocrat-NexRF-IPR](#)
Subject: RE: IPR2022-00408/409 -- Joinder Motions Not Opposed
Date: Thursday, March 24, 2022 10:51:12 AM

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Dear Honorable Board,

On behalf of Petitioner Aristocrat, I write to respectfully follow up on the status of Petitioner's motions for joinder in IPR2022-00408 and -00409, which are unopposed. If the Board needs anything further on this, or would like to conduct a conference call, we are available.

Respectfully submitted,
David Garr
Counsel for Petitioner

David A. Garr

Pronouns: He/Him/His

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COVINGTON

From: Garr, David
Sent: Friday, January 28, 2022 12:31 PM
To: 'Trials' <Trials@USPTO.GOV>
Cc: 'Gosselin, Christopher' <CGosselin@haugpartners.com>; 'LeDonne, Eugene' <ELeDonne@haugpartners.com>; 'Murphy, Brian P.' <BMurphy@haugpartners.com>; 'Herstoff, Jonathan' <JHerstoff@haugpartners.com>; 'Adam Yowell' <Adam.Yowell@FisherBroyles.com>; 'cory.bell@finnegan.com' <cory.bell@finnegan.com>; 'geron.panitch@finnegan.com' <geron.panitch@finnegan.com>; 'forrest.jones@finnegan.com' <forrest.jones@finnegan.com>; 'christina.yang@finnegan.com' <christina.yang@finnegan.com>; Cho, David <DJCho@cov.com>; Aristocrat-NexRF-IPR <Aristocrat-NexRF-IPR@cov.com>
Subject: IPR2022-00408/409 -- Joinder Motions Not Opposed

IPR2022-00408 -00409

Dear Honorable Board:

On behalf of Petitioner Aristocrat in IPR2022-00408 and -00409, we write to inform the Board that Patent Owner NexRF has agreed not to oppose Petitioner's motions for joinder (to IPR2021-00951 and -00953 respectively), based on the parties' agreement below on additional "understudy" conditions.

Therefore, it is our understanding that Aristocrat's joinder motions are not opposed by any parties to the -00408, -00409, -00951, or -00953 proceedings. If the Board would like to conduct a conference call about this, we will make ourselves available.

Respectfully submitted,
David Garr
Counsel for Petitioner

David A. Garr

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From: Gosselin, Christopher <CGosselin@haugpartners.com>
Sent: Tuesday, January 18, 2022 10:42 AM
To: Garr, David <dgarr@cov.com>; Cho, David <DJCho@cov.com>; Aristocrat-NexRF-IPR <Aristocrat-NexRF-IPR@cov.com>
Cc: LeDonne, Eugene <ELeDonne@haugpartners.com>; Murphy, Brian P. <BMurphy@haugpartners.com>; Herstoff, Jonathan <JHerstoff@haugpartners.com>; Adam Yowell <Adam.Yowell@FisherBroyles.com>; cory.bell@finnegan.com; gerson.panitch@finnegan.com
Subject: RE: IPR2022-00408/409

[EXTERNAL]

Thank you Dave. Based on Aristocrat's agreement to all of the *Ericsson* conditions, Patent Owner will not oppose the Motion for Joinder.

Best,

Chris

From: Garr, David <dgarr@cov.com>

Sent: Friday, January 14, 2022 10:46 AM

To: Gosselin, Christopher <CGosselin@haugpartners.com>; Cho, David <DJCho@cov.com>; Aristocrat-NexRF-IPR <Aristocrat-NexRF-IPR@cov.com>

Cc: LeDonne, Eugene <ELeDonne@haugpartners.com>; Murphy, Brian P. <BMurphy@haugpartners.com>; Herstoff, Jonathan <JHerstoff@haugpartners.com>; Adam Yowell <Adam.Yowell@FisherBroyles.com>; cory.bell@finnegan.com; gerson.panitch@finnegan.com

Subject: RE: IPR2022-00408/409

Hi Chris,

We are okay with these conditions.

Regards,

Dave

David A. Garr

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From: Gosselin, Christopher <CGosselin@haugpartners.com>

Sent: Wednesday, January 12, 2022 1:39 PM

To: Garr, David <dgarr@cov.com>; Cho, David <DJCho@cov.com>; Aristocrat-NexRF-IPR <Aristocrat-NexRF-IPR@cov.com>

Cc: LeDonne, Eugene <ELeDonne@haugpartners.com>; Murphy, Brian P. <BMurphy@haugpartners.com>; Herstoff, Jonathan <JHerstoff@haugpartners.com>; Adam Yowell <Adam.Yowell@FisherBroyles.com>; cory.bell@finnegan.com; gerson.panitch@finnegan.com

Subject: IPR2022-00408/409

[EXTERNAL]

Counsel,

We write regarding Aristocrat's Motion for Joinder. Aristocrat has agreed to five of the eight "understudy" conditions outlined in [Ericsson v Uniloc, IPR2020-00376, Paper 16 at 10](#) (22 May 2020). We would like to know if Aristocrat would agree to adhere to the other three *Ericsson* conditions (Nos. 3-5) listed below. Those are:

- Aristocrat must obtain prior Board authorization to file any paper or to take any action on its

own in the joined proceeding;

- Aristocrat shall not be permitted to raise any new grounds not already instituted by the Board, or introduce any new argument or discovery not already introduced by Playtika;
- Aristocrat shall be bound by any agreements between Patent Owner and Playtika concerning discovery and/or depositions.

If your client has reservations or concerns about agreeing to any of these conditions, please let us know the reasons why.

Best,

Chris

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