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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMAZON WEB SERVICES, INC.  
AND AMAZON.COM SERVICES LLC,  
Petitioners,

v.

ZENTIAN LIMITED  
Patent Owner.

Case No. IPR2023-01197  
Patent No. 10,971,140

**PETITIONERS' MOTION FOR JOINDER UNDER  
35 U.S.C. § 315(c), 37 C.F.R. § 42.22 AND § 42.122(b)**

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**I. STATEMENT OF THE PRECISE RELIEF REQUESTED**

Amazon Web Services, Inc. and Amazon.com Services LLC (collectively, “Petitioners”) respectfully submit this Motion for Joinder under 35 U.S.C. § 315(c), 37 C.F.R. §§ 42.22 and 42.122(b), concurrently with their Petition (“Instant Petition”) for *inter partes* review of U.S. Patent No. 10,971,140 (the “’140 Patent”).

Joinder is appropriate because the Instant Petition is substantively identical to the petition filed in *Apple Inc. v. Zentian Limited*, IPR2023-00037 (“the Apple Petition”), on which trial was instituted on June 12, 2023 (the “Apple IPR”). The Instant Petition includes identical grounds concerning the same claims challenged in the Apple Petition and therefore would create no additional burden for the Board, Apple, or the Patent Owner, if joined.

Petitioners stipulate that if joinder is granted, they will assume an “understudy” role to Apple and will cooperate with Apple in the joined proceeding, whether at hearings, at depositions, in filings, or otherwise, as outlined below. Joinder will not impact the trial schedule because the Apple IPR proceeding is in its early stages. Joinder would therefore lead to an efficient resolution of the validity of the ’140 Patent.

This Motion for Joinder is timely under 37 C.F.R. §§ 42.22 and 42.122(b), as it is submitted within one month of June 12, 2023, the date on which the Apple IPR was instituted.

## II. REASONS FOR THE RELIEF REQUESTED

### A. Legal Standard

In determining whether to join one IPR proceeding to another, the Board considers: (1) reasons why joinder is appropriate; (2) any new grounds of unpatentability asserted in the petition; (3) what impact (if any) joinder would have on the trial schedule for the existing review; and (4) specifically how briefing and discovery may be simplified. *See Dell, Inc. v. Network-1 Security Solutions, Inc.*, IPR2013-00385, Paper 17 at 3 (PTAB July 29, 2013). Each of these factors favors joinder here.

### B. Reasons Why Joinder Is Appropriate

Joinder is appropriate because it is the most efficient way to resolve the two related proceedings. The Instant Petition is intentionally identical in substance to the Apple Petition and does “not present issues that might complicate or delay” the Apple IPR. *See Enzymotec Ltd. v. Neptune Techs & Bioresources, Inc.*, IPR2014-00556, Paper 19 (PTAB July 9, 2014). The only difference between the Instant Petition and the Apple Petition are the sections on Real Party-In-Interest, Related Matters, Counsel, Grounds for Standing, Considerations Under §§ 314(a) and 325(d) (discretionary denial) and exhibits 1043 (Declaration of Dr. Les Atlas,

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