

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JPMORGAN CHASE BANK, N.A.
Petitioner

v.

DYNAPASS IP HOLDINGS LLC,
Patent Owner

Case No. – *Not Yet Assigned*
U.S. Patent No. 6,993,658

**PETITIONER’S MOTION FOR JOINDER UNDER
37 C.F.R. §§ 42.22 AND 42.122(b)**

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I. STATEMENT OF RELIEF REQUESTED

JPMorgan Chase Bank, N.A. (“JPMorgan” or “Petitioner”) respectfully requests that the Board grant JPMorgan’s concurrently filed petition (the “Petition”) for *inter partes* review of U.S. Patent No. 6,993,658 (“the ’658 Patent”) and join, pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. § 42.122(b), the instituted proceeding with *Unified Patents, LLC v. Dynapass IP Holdings LLC*, IPR2023-00425 (the “Unified Patents IPR”), which the Board instituted on July 18, 2023.

This is JPMorgan’s first time challenging the patentability of the ’658 Patent before the Board. JPMorgan’s Petition is substantively identical to the petition in the Unified Patents IPR—challenging the same claims of the ’658 Patent on the same grounds while relying on the same prior art, arguments, and evidence. *See* Ex. 1017 (redline comparison). This Motion for Joinder and accompanying Petition are timely, being filed within the one-month time limit set forth in 37 C.F.R. § 42.122(b).

Joinder is appropriate here because (i) JPMorgan’s Petition is substantively identical to the petition in the Unified Patents IPR with respect to the asserted grounds, are based on the same prior art combinations and supporting evidence, and asserted against the same claims, and (ii) JPMorgan agrees to an “understudy role” and will not assume an active role unless Unified Patents ceases to actively prosecute the Unified Patents IPR. Joinder will not unduly complicate the Unified Patents IPR

nor adversely impact its schedule, and instead will promote judicial efficiency in determining the patentability of the '658 Patent.

Accordingly, JPMorgan respectfully requests that the Board grant this Motion for Joinder.

II. STATEMENT OF MATERIAL FACTS

1. Dynapass IP Holdings LLC (“Dynapass” or “Patent Owner”) filed a Complaint for patent infringement of the '658 Patent on June 17, 2022, against JPMorgan, JPMorgan Chase & Co, and Chase Bank USA, N.A. (now known as JPMorgan Chase Bank N.A.) in the Eastern District of Texas. That case is styled *Dynapass IP Holdings LLC v. JPMorgan Chase & Co., JPMorgan Chase Bank, National Association, and Chase Bank USA National Association*, Case No. 2:22-cv-00212 (E.D. Tex.). JPMorgan was served with the Complaint on June 22, 2022.

2. Patent Owner has also asserted the '658 Patent in the following cases:
- a. *Dynapass IP Holdings LLC v. Bank of America Corporation et al.*, Case No. 2:22-cv-00210 (E.D. Tex.) (filed June 17, 2022);
 - b. *Dynapass IP Holdings LLC v. BOKF, National Association*, Case No. 2:22-cv-00211 (E.D. Tex.) (filed June 17, 2022);
 - c. *Dynapass IP Holdings LLC v. PlainsCapital Bank et al.*, Case No. 2:22-cv-00213 (E.D. Tex.) (filed June 17, 2022);

- d. *Dynapass IP Holdings LLC v. PNC Financial Services Group, Inc. et al.*, Case No. 2:22-cv-00214 (E.D. Tex.) (filed June 17, 2022);
- e. *Dynapass IP Holdings LLC v. Regions Financial Corporation et al.*, Case No. 2:22-cv-00215 (E.D. Tex.) (filed June 17, 2022);
- f. *Dynapass IP Holdings LLC v. Truist Financial Corporation*, Case No. 2:22-cv-00216 (E.D. Tex.) (filed June 17, 2022);
- g. *Dynapass IP Holdings LLC v. Wells Fargo & Company et al.*, Case No. 2:22-cv-00217 (E.D. Tex.) (filed June 17, 2022);
- h. *Dynapass IP Holdings LLC v. Woodforest National Bank et al.*, Case No. 2:22-cv-00218 (E.D. Tex.) (filed June 17, 2022);
- i. *Dynapass IP Holdings LLC v. Amazon.com, Inc.*, Case No. 2:23-cv-00063 (E.D. Tex.) (filed Feb. 20, 2023);
- j. *Dynapass IP Holdings LLC v. The Charles Schwab Corporation et al.*, Case No. 2:23-cv-00064 (E.D. Tex.) (filed Feb. 20, 2023);
- k. *Dynapass IP Holdings LLC v. East West Bancorp, Inc. et al.*, Case No. 2:23-cv-00065 (E.D. Tex.) (filed Feb. 20, 2023);
- l. *Dynapass IP Holdings LLC v. Experian Information Services, Inc.*, Case No. 2:23-cv-00066 (E.D. Tex.) (filed Feb. 20, 2023);

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