

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC.,
Petitioner,

v.

MULTIMEDIA TECHNOLOGIES PTE. LTD.,
Patent Owner.

Case IPR2024-00694
Patent 9,510,040

**PETITIONER'S 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 RELIEF REQUESTED

VIZIO, Inc. (“VIZIO” or “Petitioner”) respectfully submits this Motion for Joinder, concurrently with a Petition (“VIZIO’s Petition”) for *inter partes* review of U.S. Patent No. 9,510,040.

Pursuant to 35 U.S.C. § 315(c), 37 C.F.R. §§ 42.22, and 42.122(b), VIZIO requests *inter partes* review and joinder with *LG Electronics, Inc., LG Electronics U.S.A., Inc. v. Multimedia Technologies Pte. Ltd.*, IPR2024-00351 (“the LG IPR”), which was filed on December 20, 2023. VIZIO’s Petition is substantively identical to the petition in the LG IPR—challenging the same claims of the ’040 patent on the same grounds while relying on the same prior art, arguments, and evidence. This Motion for Joinder and accompanying Petition are timely being filed before a decision instituting trial in the LG IPR. Counsel for VIZIO has conferred with petitioner’s counsel in the LG IPR, and LG does not oppose this Motion for Joinder.

VIZIO is currently being sued by Patent Owner for alleged infringement of the ’040 patent in an action styled *Multimedia Technologies Pte. Ltd. v. VIZIO Inc.*, No. 2:23-cv-00124-JRG-RSP (E.D. Tex.). VIZIO has not previously filed any petitions before the PTAB challenging the validity of the ’040 patent.

Joinder is appropriate here because (i) VIZIO’s Petition is substantively identical to the petition in the LG IPR, (ii) VIZIO agrees to an “understudy role,”

and (iii) VIZIO relies upon the same expert declaration as relied upon in the LG IPR, simplifying briefing and discovery. Accordingly, joinder will provide for a just, speedy, and inexpensive determination of related proceedings.

Therefore, VIZIO respectfully requests that the Board grant this Motion for Joinder.

II. STATEMENT OF MATERIAL FACTS

1. The owner of the '040 patent, Multimedia Technologies Pte. Ltd. (“MMT”), sued VIZIO alleging infringement of the '040 patent in the United States District Court for the Eastern District of Texas.
2. VIZIO was served with MMT’s (“MMT”) complaint on March 27, 2023.
3. On December 20, 2023, LG Electronics, Inc., LG Electronics U.S.A., Inc. (collectively, “LG”), which had also been served with a complaint alleging infringement of the '040 patent, timely filed a Petition for *inter partes* review challenging claims 1-6, 11-16, and 21-22 of the '040 patent. *See LG Electronics, Inc., LG Electronics U.S.A., Inc. v. Multimedia Technologies Pte. Ltd.*, IPR2024-00351, Paper 1 (PTAB Dec. 20, 2023).
4. VIZIO’s Petition and this Motion for Joinder are being filed before a decision on institution of the LG IPR.

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