

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNILOC 2017 LLC

Plaintiff,

vs.

Case No. 2:18-cv-00514

AT&T MOBILITY LLC, and
AT&T SERVICES, INC.,

Jury Trial Demanded

Defendants.

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ERICSSON INC.'S MOTION TO INTERVENE AS A DEFENDANT

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Pursuant to Federal Rule of Civil Procedure 24, Ericsson Inc. (“Ericsson”) moves for leave to intervene in the above-titled action.¹ Ericsson seeks to intervene because it sells equipment to Defendants AT&T Mobility LLC and AT&T Services, Inc. (together, “AT&T”) that Plaintiff Uniloc 2017 LLC (“Uniloc”) alleges infringe a Uniloc patent. As the designer and manufacturer of accused products, Ericsson has a substantial interest in the litigation and is in the best position to defend against certain of Uniloc’s claims. Ericsson’s Motion is timely, and no existing party will suffer prejudice if Ericsson intervenes. Moreover, Ericsson’s intervention will not result in the case being delayed, and Ericsson will not move to transfer the case if this Motion is granted.

I. INTRODUCTION

In its complaint, Uniloc accuses AT&T of infringing three patents. Uniloc alleges that one of those three patents is infringed through AT&T’s use of cellular base stations that implement a 4G LTE feature called “LTE Licensed Assisted Access” (“LTE-LAA”). Ericsson sells base stations to AT&T that implement the accused LTE-LAA feature.

Ericsson moves to intervene as a matter of right. As the designer and manufacturer of accused products, Ericsson is in the best position to defend those products against Uniloc’s infringement allegations. Ericsson has an interest in the litigation because the dispute’s existence alone could negatively affect Ericsson’s ability to sell its base station products to AT&T and other customers.

AT&T cannot adequately represent Ericsson’s interests in this litigation because AT&T does not possess the same thorough understanding of Ericsson’s products. In addition, AT&T’s defensive strategies may be divided between Ericsson’s and other suppliers’ products, which could

¹ Filed with this Motion is Ericsson’s Answer in Intervention as well as a proposed order.

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