

From: [Conn, Paula](#)
To: mholohan@sheridanross.com; rbrunelli@sheridanross.com; lbrown@sheridanross.com; jenoch@sheridanross.com; michael@kiklisclark.com; kimani@kiklisclark.com
Cc: [Trials](#)
Subject: RE: Google v. DDC, IPR2023-00707, -00708, -00709, -00710 & -00711
Date: Thursday, June 8, 2023 3:27:44 PM

Counsel,

A conference call with the Board for IPR2023-00707 and IPR2023-00708 has been scheduled for 2p ET on Tuesday, June 13, 2023.

Call-in number: (866) 803-2146
Passcode: 9305436#

Prior to the conference call with the Board, the parties must meet and confer by telephone to discuss Patent Owner's discovery requests, if they have not already done so. During the conference call with the Board, the parties will be expected to address the *Garmin* factors. *See Garmin Int'l, Inc. v. Cuozzo Speed Techs. LLC*, IPR2012-00001, Paper 26 at 5–7 (PTAB Mar. 5, 2013) (precedential).

The panels for IPR2023-00709, IPR2023-00710, and IPR2023-00711 have not yet been assigned. Your request will be forwarded to those panels in due course.

Please email trials@uspto.gov with any question and concerns.

Paula Conn

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Patent Trial and Appeal Board
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From: Matt Holohan <mholohan@sheridanross.com>
Sent: Monday, June 5, 2023 3:26 PM
To: Trials <Trials@USPTO.GOV>
Cc: Rob Brunelli <rbrunelli@sheridanross.com>; Lori Brown <lbrown@sheridanross.com>; Joelle

IPR2023-00707, -00708, -00709,
-00710, -00711,
Ex. 3001

Enoch <jenoch@sheridanross.com>; Michael Kiklis <michael@kiklisclark.com>;
kimani@kiklisclark.com

Subject: Google v. DDC, IPR2023-00707, -00708, -00709, -00710 & -00711

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Dear PTAB,

Patent Owner in the above-referenced IPRs respectfully requests authorization to file a motion seeking additional discovery pursuant to 37 C.F.R. 42.51(b)(2) as to real party in interest and privity issues. Patent Owner's proposed discovery requests are reproduced below for the Board's convenience. The parties have met and conferred and Petitioner opposes Patent Owner's request for leave to file a motion for additional discovery. The parties are available Wednesday from 12-3 Eastern and Friday from 12-5 Eastern for a conference call with the Board.

DEFINITIONS:

"Challenged Patents" means United States Patent Nos. 9,420,075, 9,811,184, 10,528,199, 11,093,000 and 11,093,001, which are subject to the IPR Petitions filed by Google on March 29, 2023 (IPR2023-00707, IPR2023-00708, IPR2023-00709, IPR2023-00710 and IPR2023-00711).

"DDC" means DDC Technology, LLC (current assignee of the Challenged Patents).

"DODOcase" means DODOcase VR, Inc. (former assignee of the Challenged Patents).

"Google" means Google LLC and any affiliate thereof.

"Mattel" means Mattel, Inc. and any affiliate thereof.

"Merchsource" means Merchsource LLC and any affiliate thereof.

"UC" means Unofficial Cardboard, Inc. and any affiliate thereof.

"OPS" means Orora Packaging Solutions (fka Orora North America) and any affiliate thereof.

"WWGC Program" means the Works With Google Cardboard Program.

"Accused Products" means virtual reality ("VR") viewers with a capacitive/conductive touch component including, but not limited to, the Google Cardboard V2 VR Viewer, the Mattel View-Master VR Viewer, the Mattel View-Master Deluxe VR Viewer, the Merchsource Sharper Image Smartphone 360 VR Headset, the UC 2.0 VR Headset, and the UC 2.0+ VR Headset.

REQUESTS FOR PRODUCT OF DOCUMENTS AND THINGS

RFP No. 1: Documents constituting communications between Google and Mattel, Merchsource, UC, or OPS that concern or relate to DDC, the Challenged Patents, or DODOcase.

RFP No. 2: Documents constituting communications between Google and Mattel, Merchsource, UC, or OPS that concern or relate to any Accused Products.

RFP No. 3: Documents constituting communications between Google and Mattel, Merchsource, UC or OPS that concern or relate to demands or requests for indemnification regarding any product (including without limitation any VR-related product) or legal proceeding.

RFP No. 4: Documents constituting or discussing any contracts, agreements, or business arrangements between Google and Mattel, Merchsource, UC or OPS.

RFP No. 5: All documents related to the collaboration between Google and Mattel regarding the design, development, manufacture, use and/or sale of Mattel's Accused Products, which relationship appears to have commenced in or before February 2015 as referenced in the press release available at <https://corporate.mattel.com/news/mattel-collaborates-with-google-to-reimagine-the-iconic-view-master-toy>.

RFP No. 6: All documents related to involvement, membership or partnership in the WWGC Program by Mattel, Merchsource, UC, or OPS (including, but not limited to, any agreements entered into incident to involvement, membership or partnership in the WWGC Program).

RFP No. 7: All documents (including communications) related to Merchsource's prior IPR and PGR filings (IPR2018-00494, PGR2018-00019, and PGR2018-00020).

Respectfully submitted,

Matthew C. Holohan

Shareholder

SHERIDAN ROSS PC / Attorneys at Innovation

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