Filed: September 8, 2023

Filed on behalf of Meta Platforms, Inc.
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner,

v.

JAWBONE INNOVATIONS, LLC,
Patent Owner.

IPR2023-01083
U.S. Patent No. 8,321,213

PETITIONER'S UNOPPOSED MOTION TO WITHDRAW MOTION FOR JOINDER

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Pursuant to the Board's authorization granted in its August 25, 2023 email, Petitioner Meta Platforms, Inc. ("Petitioner") respectfully submits this Unopposed Motion to Withdraw Motion for Joinder.

I. STATEMENT OF FACTS

On November 28, 2022, Amazon.com, Inc. ("Amazon") filed a petition for *inter partes* review ("IPR") of claims 1-13 of U.S. Patent No. 8,321,213 ("the '213 patent"). IPR2023-00279 ("Amazon IPR"), Paper 1. Patent Owner filed suit against Petitioner on February 28, 2023, asserting the '213 patent, along with seven other patents. Case No. 6:23-cv-00158, W.D. Tex., Dkt. 1. On May 24, 2023, the Board instituted the Amazon IPR. IPR2023-00279, Paper 10. Petitioner timely filed the petition in this proceeding, for *IPR* of claims 1-13 of the '213 patent on June 23, 2023 (Paper 1), along with a Motion for Joinder to and Consolidation with the Amazon IPR (Paper 2, "Joinder Motion"). Petitioner's IPR presents identical grounds as the Amazon IPR.

On August 10, 2023, the Board ordered termination of the Amazon IPR based on settlement. IPR2023-00279, Paper 17 ("Termination Order"). The Board did not decide the merits of the Amazon IPR and the Termination Order is not a Final Written Decision. *Id.* In this proceeding, the Board has not ruled on Petitioner's Joinder Motion.

II. ARGUMENT

Petitioner respectfully submits that, in view of the Board's Termination Order in the Amazon IPR, Petitioner should be permitted to withdraw its Joinder Motion (Paper 2), which is now moot. Patent Owner does not oppose this motion.

III. CONCLUSION

For the reasons presented above, Petitioner respectfully requests that the Board order that the Joinder Motion (Paper 2) is WITHDRAWN as moot.

Respectfully submitted,

ALLEN & OVERY, LLP

Dated: September 8, 2023

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing **PETITIONER'S UNOPPOSED MOTION TO WITHDRAW MOTION FOR JOINDER** is being served on September 8, 2023 by electronically filing this document, as well as by delivering a copy via email to the following attorneys of record for the Patent Owner:

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