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.

IPR2023-01130
U.S. Patent No. 11,122,357

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 21, 2022, Amazon.com, Inc. ("Amazon") filed a petition for *inter partes* review ("IPR") of claims 1-20 of U.S. Patent No. 11,122,357 ("the '357 patent"). IPR2023-00251 ("Amazon IPR"), Paper 1. Patent Owner filed suit against Petitioner on February 28, 2023, asserting the '357 patent, along with seven other patents. Case No. 6:23-cv-00158, W.D. Tex., Dkt. 1. On June 1, 2023, the Board instituted the Amazon IPR. IPR2023-00251, Paper 7. Petitioner timely filed the petition in this proceeding, for *IPR* of claims 1-20 of the '357 patent on June 27, 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 8, 2023, the Board ordered termination of the Amazon IPR based on settlement. IPR2023-00251, Paper 15 ("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the reasons presented above, Petitioner respectfully requests that the Board order that the Joinder Motion (Paper 2) is WITHDRAWN as moot.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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