Paper No. 9
Filed: August 9, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS INC.,
Petitioner,

v.

JAWBONE INNOVATIONS, LLC,
Patent Owner.

IPR2023-01154
U.S. Patent No. 8,019,091

PETITIONER'S REPLY ON PETITIONER'S MOTION FOR JOINDER TO AND CONSOLIDATION WITH RELATED *Inter Partes* REVIEW IPR2023-00253

Petitioner filed its Motion for Joinder to and Consolidation with Related *Inter Partes* Review IPR2023-00253 ("the Amazon IPR") concurrently with a petition for *inter partes* review of the '091 patent based on the same prior-art references and arguments presented in the Amazon IPR. (Paper 2). On June 6, 2023, the Board instituted the Amazon IPR, finding a reasonable likelihood that *every* challenged claim is unpatentable based on the grounds presented in Amazon's petition. *Amazon.com, Inc. v. Jawbone Innovations*, *LLC*, IPR2023-00253, Paper 9, 18 (claims 11, 18), 21 (claim 1), 24 (claims 2–10, 12–17, 19, and 20]) (P.T.A.B June 6, 2023).

Should the Amazon IPR be terminated, Petitioner's joinder motion should be denied as moot. Because Petitioner timely filed its petition and was not estopped from requesting IPR of the '091 patent, the Board should proceed to the merits of the Petition. Moreover, because the Petition presents the same grounds as in the previously-instituted Amazon IPR, the Board has already determined that Petitioner's Petition meets the standard for institution, i.e., Petitioner's grounds establish a reasonable likelihood that at least one challenged claim is invalid. Indeed, the Board has already found a reasonable likelihood that *every* challenged claim is invalid in view of the grounds in the Petition. Accordingly, the Board should institute this IPR for the same reasons the Board instituted review in the Amazon IPR.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

/*Indranil Mukerji*/

August 9, 2023

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LG ELECTRONICS INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PETITIONER'S REPLY ON PETITIONER'S MOTION FOR JOINDER TO AND CONSOLIDATION WITH RELATED INTER PARTES REVIEW IPR2022-00253** is being served on August 9, 2023, via electronic mail on counsel of record for patent owner Jawbone Innovations, LLC at the address below:

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