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Subject: RE: Consolidation in Proceedings IPR2023-00127, IPR2023-01166, IPR2023-01154; IPR2023-01084, IPR2023-01117, IPR2023-01112; IPR2023-01128, IPR2023-01177, IPR2023-01155
Date: Friday, February 2, 2024 11:52:18 AM

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Dear Board:

I am counsel representing Petitioner Meta Platforms, Inc. in IPR2023-01127, IPR2023-01084, and IPR2023-01128, challenging the validity of U.S. Patent Nos. 8,019,091; 8,321,213; and 8,326,611, respectively. Pursuant to the Board's instructions during the January 24, 2024 conference regarding consolidation and coordination, Petitioner Meta has met and conferred with counsel for Patent Owner Jawbone Innovations, LLC, and counsel for Sony and LG, the petitioners in IPR2023-01166, IPR2023-01154, IPR2023-01117, IPR2023-01112, IPR2023-01177, IPR2023-01155, IPR2023-01222, and IPR2023-01248 to discuss a plan for consolidating the above-referenced proceedings under 35 U.S.C. 315(d) and 37 C.F.R. 42.122(a).

For ease of reference, the below table lists the relevant proceedings for each Petitioner discussed in this proposed plan, and an indication of which Petitioner will lead the consolidated proceeding under this plan.

Challenged Patent	Meta	Sony	LG	Lead
US8019091	IPR2023-01127	IPR2023-01166	IPR2023-01154	Meta
US8321213	IPR2023-01084	IPR2023-01117	IPR2023-01112	Meta
US8326611	IPR2023-01128	IPR2023-01177	IPR2023-01155	Meta
US8467543	N/A	IPR2023-01222	IPR2023-01248	Sony

The parties jointly propose the following consolidation and coordination plan:

1. Counsel for Meta, Sony, and LG will form a joint petitioners' group and will submit joint filings. For the IPR proceedings listed above, Meta or Sony will lead the joint petitioners' group, as indicated, with the other petitioners taking "understudy" roles. For each of paragraphs 2-4, the consolidated IPR proceeding maintains all grounds of unpatentability asserted in the petitions filed in the IPR proceedings for the lead and understudy petitioners.
2. With respect to U.S. Patent No. 8,019,091, the Sony IPR proceeding (IPR2023-01166) and LG IPR proceeding (IPR2023-01154) will be consolidated into the Meta IPR proceeding (IPR2023-01127).
3. With respect to U.S. Patent No. 8,321,213, the Sony IPR proceeding (IPR2023-01117) and LG IPR proceeding (IPR2023-01112) will be consolidated into the Meta IPR proceeding

(IPR2023-01084). With respect to the invalidity challenges asserted for dependent claims 37 and 38 that are present in the Sony and LG IPR proceedings but not present in the Meta IPR proceeding, Meta will be prepared to address the challenges to those claims.

4. With respect to U.S. Patent No. 8,326,611, the Sony IPR proceeding (IPR2023-01177) and LG IPR proceeding (IPR2023-01155) will be consolidated into the Meta IPR proceeding (IPR2023-01128). With respect to the invalidity challenges asserted for dependent claims 3 and 4 that are present in the Sony and LG IPR proceedings but not present in the Meta IPR proceeding, Meta will be prepared to address the challenges to those claims.
5. With respect to U.S. Patent No. 8,467,543, the LG IPR proceeding (IPR2023-01248) will be consolidated into the Sony IPR proceeding (IPR2023-01222).

The parties can be available for a teleconference with the Board, if necessary, to discuss this proposal.

Regards,
Lisa Nguyen
Lead Counsel for Meta Platforms, Inc.

Lisa K. Nguyen
Allen & Overy LLP

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From: Trials <Trials@USPTO.GOV>

Sent: Monday, January 22, 2024 12:38 PM

To: Wang, Grace:LT (NY) <Grace.Wang@allenoverly.com>; Trials <Trials@USPTO.GOV>

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Subject: RE: Consolidation in Proceedings IPR2023-00127, IPR2023-01166, IPR2023-01154; IPR2023-01084, IPR2023-01117, IPR2023-01112; IPR2023-01128, IPR2023-01177, IPR2023-01155

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Counsel,

The Board is scheduling a conference call for **Wednesday, January 24 at 12pm ET**.
The dial-in number is: 866-815-1560 and the passcode is: 6610860#.

The parties should be prepared to discuss consolidation and coordination of the following proceedings:

(a) IPR2023-01127 (paper 11), IPR2023-01166 (paper 12), and IPR2023-01154 (paper 12) with respect to U.S. Patent No. 8,019,091;

(b) IPR2023-01084 (paper 14), IPR2023-01117 (paper 12), and IPR2023-01112 (paper 11) with respect to U.S. Patent No. 8,321,213;

(c) IPR2023-01128 (paper 14), IPR2023-01177 (paper 12), and IPR2023-01155 (paper 11) with respect to U.S. Patent No. 8,326,611; and

(d) IPR2023-01222 and IPR2023-01248 with respect to U.S. Patent No. 8,467,543.

Lead counsel for each party is expected to make an appearance, although back up counsel may provide the substantive discussion. Any counsel making an official appearance must be identified on a party's Mandatory Notice or have a Pro Hac Vice motion on file.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Grace.Wang@allenoverly.com <Grace.Wang@allenoverly.com>

Sent: Friday, January 19, 2024 7:28 PM

To: Trials <Trials@USPTO.GOV>

Cc: plambrianakos@fabricantllp.com; PTAB@fabricantllp.com; vrubino@fabricantllp.com; ffabricant@fabricantllp.com; eiturralde@fabricantllp.com; rcowell@fabricantllp.com; jostling@fabricantllp.com; Lisa.Nguyen@AllenOverly.com; David.Tennant@AllenOverly.com; Alan.Billharz@allenoverly.com; Colby.Davis@AllenOverly.com; ggewirtz@lernerdavid.com; litigation@lernerdavid.com; rfaegenburg@lernerdavid.com; ocockings@lernerdavid.com; IMukerji@willkie.com; cmoulder@willkie.com; lg-jawbone-ipr_wfg@willkie.com

Subject: Consolidation in Proceedings IPR2023-00127, IPR2023-01166, IPR2023-01154; IPR2023-01084, IPR2023-01117, IPR2023-01112; IPR2023-01128, IPR2023-01177, IPR2023-01155

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Dear Board,

The parties in the above-captioned proceedings (Patent Owner Jawbone Innovations, LLC and Petitioners Meta Platforms, Inc., Sony Electronics Inc., and LG Electronics Inc.) have met and conferred about the consolidation and coordination of these proceedings, pursuant to the scheduling orders issued in:

(a) IPR2023-01127 (paper 11), IPR2023-01166 (paper 12), and IPR2023-01154 (paper 12) with respect to U.S. Patent No. 8,019,091;

(b) IPR2023-01084 (paper 14), IPR2023-01117 (paper 12), and IPR2023-01112 (paper 11) with respect to U.S. Patent No. 8,321,213; and

(c) IPR2023-01128 (paper 14), IPR2023-01177 (paper 12), and IPR2023-01155 (paper 11) with respect to U.S. Patent No. 8,326,611.

The parties are available for a conference call with the Board at the following times to discuss consolidation and coordination:

- January 24: noon ET
- January 25: noon ET

Please advise if the Board is available at any of these times. If these times do not work for the Board, please propose alternate time availability.

The parties do not propose any motions at this time.

Regards,
Grace Wang (Counsel for Petitioner Meta)

Grace Wang, PhD JD | Partner

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