From: Lisa.Nguyen@AllenOvery.com <Lisa.Nguyen@AllenOvery.com>
Sent: Friday, February 2, 2024 11:52 AM
To: Trials <Trials@USPTO.GOV>; Grace.Wang@allenovery.com
Cc: plambrianakos@fabricantllp.com; PTAB@fabricantllp.com; vrubino@fabricantllp.com; ffabricant@fabricantllp.com; eiturralde@fabricantllp.com; rcowell@fabricantllp.com; jostling@fabricantllp.com; David.Tennant@AllenOvery.com; Alan.Billharz@allenovery.com; Colby.Davis@AllenOvery.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: RE: Consolidation in Proceedings IPR2023-00127, IPR2023-01166, IPR2023-01154; IPR2023-01084, IPR2023-01117, IPR2023-01112; IPR2023-01128, IPR2023-01177, IPR2023-01155

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

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

550 High Street | Palo Alto | CA | 94301 | USA
Direct +1 650 388 1724 | Mob +1 650 391 5373 | lisa.nguyen@allenovery.com