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Subject: IPR2024-00154 & IPR2024-00821

Date: May 15, 2024 at 4:27 PM

To: Trials Trials@USPTO.GOV

Cc: Samsung-Broadphone-IPR PH-Samsung-Broadphone-IPR@paulhastings.com, Christian W. Conkle cconkle@raklaw.com, Reza Mirzaie rmirzaie@raklaw.com, ptong@raklaw.com, broadphone@raklaw.com

NM

Your Honors,

Petitioner and Patent Owner in IPR2024-00153, -00154, and -00155 write to jointly request that IPR2024-00821 be consolidated with and placed on the same schedule as IPR2024-00154 (which is also on the same schedule as IPR2024-00153 and IPR2024-00155).

In particular, IPR2024-00154, which was instituted on May 7, 2024, challenges claims 1-7, 9-13, 15, 16, and 21 of U.S. Patent No. 8,594,698. IPR2024-00821 was filed on April 19, 2024, to address an additional claim of the '698 patent, claim 23, that was recently added to the co-pending district court litigation. Petitioner and Patent Owner agree that IPR2024-00821 raises the same or substantially the same issues as IPR2024-00154, and as a result stipulated in district court that "[Petitioner] and [Patent Owner] desire ... to treat Claim 23 of the '698 patent as though it had in fact been included in [IPR2024-00154]" and that Patent Owner "will not oppose any request to consolidate [IPR2024-00821] with [IPR2024-00154]," "will not oppose any request to expedite [IPR2024-00821] so that it is on the same schedule as [IPR2024-00154]," and "if necessary, work with [Petitioner] to jointly request consolidation and/or expedite [IPR2024-00821] as contemplated in this stipulation." *Broadphone LLC v. Samsung Electronics Co., Ltd.*, No. 2:23-cv-00001-JRG-RSP, D.I. 36 (E.D. Tex. Apr. 19, 2024).

Further, Patent Owner does not plan to file a preliminary response and will be filing an appropriate waiver shortly. As such, the parties request that the Board expedite consideration of the petition in IPR2024-00821 and consolidate IPR2024-00821 with IPR2024-00154, as discussed above.

To the extent the Board requires this request to be submitted in a formal paper, the parties respectfully request authorization to file a joint request that IPR2024-00821 be consolidated with and placed on the same schedule as IPR2024-00154.

Respectfully,
Naveen Modi
Counsel for Petitioner

PAUL
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