

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**ACTIVISION BLIZZARD, INC.**

Petitioner

V.

**GAME AND TECHNOLOGY CO., LTD**

Patent Owner

Patent No. 7,682,243

Filing Date: June 23, 2005

Issue Date: March 23, 2010

Title: METHOD FOR PROVIDING ONLINE GAME WHICH CHANGES  
PILOT DATA AND UNIT DATA IN GEAR AND SYSTEM THEREOF

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*Inter Partes* Review No.: *To be Assigned*

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**MOTION FOR JOINDER TO RELATED *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 7,682,243 (CASE NO. IPR2017-01082)  
UNDER 35 U.S.C. §§ 315(c) AND 37 C.F.R. § 42.122(b)**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, Virginia 22313-1450  
Submitted Electronically via the PTAB E2E System

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## I. STATEMENT OF THE PRECISE RELIEF REQUESTED

Activision Blizzard, Inc. (“Petitioner”) hereby moves the Patent Trial and Appeal Board (“Board”) for joinder of its today-filed petition for *inter partes* review (“Blizzard IPR”) with a previously instituted IPR filed by Wargaming Group Limited (Case No. IPR2017-01082, “Wargaming IPR”). The Blizzard IPR is substantially identical to the Wargaming IPR. Both seek *inter partes* review of claims 1-7 (“the Challenged Claims”) of U.S. Patent No. 7,682,243 (the “’243 patent,” Ex. 1001). Further, the Blizzard IPR and Wargaming IPR rely upon the same analytical framework (e.g., the same grounds, the same arguments, the same substantive expert analysis, etc.) in addressing the Challenged Claims. Accordingly, resolving the Blizzard IPR and the Wargaming IPR will necessarily involve considering the same issues by all parties and the Board. Patent Owner Game and Technology Co., Ltd. (“GAT”) will not be prejudiced by joinder, as no new grounds are being raised by Petitioner, and no alteration to the Wargaming IPR schedule is necessary as a result of Petitioner’s joinder.

Petitioner is filing this petition and joinder motion to ensure that a petitioner remains to complete the trial in the event that Wargaming reaches a settlement with the Patent Owner or is otherwise terminated from the proceeding. As long as Wargaming continues to participate in the IPR proceedings, Petitioner is willing to take a passive, “understudy” role. In fact, Petitioner does not intend to introduce

any briefing, arguments, or discovery separate from Wargaming in the joined proceedings.

In light of the similarities of the proceedings, the potential benefit to the public and the Board that would accrue by Petitioner's participation in this proceeding in the event that Wargaming's participation terminates, and the lack of prejudice to Patent Owner by Petitioner's joinder, Petitioner respectfully requests that the Board join the Wargaming IPR and Blizzard IPR.

## **II. BACKGROUND**

Wargaming filed a petition requesting *inter partes* review of the '243 patent on March 13, 2017. Wargaming IPR, Paper 1. A decision granting institution of that petition was granted on October 6, 2017. Wargaming IPR, Paper 7. The Wargaming IPR and Blizzard IPR involve different petitioner groups and real parties-in-interest. *Compare* Wargaming IPR, Paper 1 at 72-74 with Blizzard IPR, Petition at 1 (identifying real parties-in-interest). However, Blizzard is a defendant in an infringement lawsuit involving the '243 Patent filed by the Patent Owner, which is pending in the U.S. District Court for the Central District of California. *See* Wargaming IPR, Paper 1 at 72; Blizzard IPR, Petition at 1-2 (listing related matters). On September 30, 2016, Petitioner filed an *inter partes* review petition on the '243 patent on different grounds, which was denied institution on March 21, 2017.

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