

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BLACKBERRY CORP.

Petitioner,

v.

UNILOC 2017 LLC,

Patent Owner.

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Case No. IPR2019-01283

Patent No. 7,167,487

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MOTION FOR JOINDER UNDER 35 U.S.C. § 315(c),  
37 C.F.R. § 42.122(b) TO  
RELATED *INTER PARTES* REVIEW IPR2019-00252

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## I. Statement of Precise Relief Requested

BlackBerry Corp. (“BlackBerry” or “Petitioner”) respectfully submits this Motion for Joinder together with a Petition for *Inter Partes* Review of U.S. Patent No. 7,167,487 (“BlackBerry Petition”) filed contemporaneously herewith. The Board instituted *inter partes* review of claims 11–13 of the ’487 Patent in *Apple, Inc. et al. v. Uniloc 2017 LLC*, Case No. IPR2019-00252 on June 4, 2019 (“Apple IPR”). Pursuant to 35 U.S.C. § 315(c) and 37 C.F.R. § 42.122(b), BlackBerry requests institution of *inter partes* review for claims 11–13 of the ’487 Patent and requests joinder with IPR2019-00252.

BlackBerry’s request for joinder is timely because it is made no later than one month after the June 4, 2019 institution date of the Apple IPR. The BlackBerry Petition is substantively identical to the petition resulting in the Apple IPR (“the Apple Petition”), and BlackBerry only seeks institution on the same claims, prior art, and grounds for unpatentability that were instituted in the Apple IPR. Therefore, the BlackBerry IPR warrants institution for at least the same reasons that the Board instituted the Apple IPR. In addition, BlackBerry proposes to streamline discovery and briefing by taking an

“understudy role.”

Petitioners in the Apple IPR do not oppose BlackBerry’s instant motion.

Joinder is appropriate here because it will not unduly burden or prejudice the parties to the Apple IPR and will efficiently resolve the question of the ’487 Patent’s validity, based on the grounds raised in both the Apple IPR and the BlackBerry IPR, in a single proceeding.

## **II. Background and Related Proceedings**

The ’487 patent has been asserted in the following litigations:

*Uniloc 2017 LLC v. BlackBerry Corp.*, Civil Action No. 3:18-cv-03069-N (N.D. Tex. 2018); *Uniloc USA, Inc. et al. v. BlackBerry Corp.*, Case No. 3:18-cv-01886-N (N.D. Tex. 2018); *Uniloc Luxembourg SA et al. v. Samsung Group et al.*, Case No. 2:18-cv-00044 (E.D. Tex. 2018); *Uniloc Luxembourg SA et al. v. LG Corp.*, Case No. 3:18-cv-00561 (N.D. Tex. 2018); *Uniloc 2017, LLC v. HTC Corp.*, Case No. 2:18-cv-01731 (W.D. Wash. 2018); *Uniloc 2017, LLC v. ZTE et al.*, Case No. 3:18-cv-03070 (N.D. Tex. 2018); *Uniloc 2017, LLC v. Motorola Mobility et al.*, Case No. 1:18-cv-01843 (D. Del. 2018); *Uniloc Luxembourg SA et al. v. Huawei Techs., Co., Ltd. et al.*, Case No. 2:18-cv-00072 (E.D. Tex. 2018); *Uniloc*

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