

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

OYSTER OPTICS, LLC,
Patent Owner.

IPR2020–01347
Patent 6,665,500 B2

Before JAMESON LEE, PATRICK M. BOUCHER, and
JOHN R. KENNY, *Administrative Patent Judges*.

PER CURIAM.

TERMINATION
Dismissal After Institution of Trial
37 C.F.R. § 42.72

Petitioner in this proceeding filed a petition requesting *inter partes* review of the same claims of Patent 6,665,500 B2 that were challenged in IPR2020–00325 (“’325 IPR”) on the same grounds at issue in the ’325 IPR. Paper 2. Petitioner also filed a Motion for Joinder requesting to join the ’325 IPR. Paper 3. On February 16, 2021, we instituted trial and granted the Motion for Joinder. *See* Paper 10. The Decision instituting trial and granting joinder provided that “all further filings shall be made in the ’325 IPR and that no further filings shall be made in this proceeding [IPR2020-01347].” *Id.* at 7. Thus, the ’325 IPR was the case that moved forward after joinder, and a final written decision under 35 U.S.C. § 318(a) issued in that case. *See* ’325 IPR, Paper 34.

Our Rules provide that “[t]he Board may terminate a trial without rendering a final written decision, where appropriate.” 37 C.F.R. § 42.72. Under the particular circumstances of this proceeding, namely the joinder of Petitioner to the ’325 IPR and the issuance of a final written decision in the ’325 IPR, we determine that termination of this *inter partes* review without rendering a final written decision in this proceeding is appropriate.

Accordingly, it is:

ORDERED that this trial is terminated under 37 C.F.R. § 42.72, and no final written decision will be rendered in this proceeding.

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PETITIONER:

Theodore Foster
David McCombs
HAYNES & BOONE LLP
ipr.theo.foster@haynesboone.com
david.mccombs.ipr@haynesboone.com

PATENT OWNER:

Wayne M. Helge
James T. Wilson
Aldo Noto
DAVIDSON BERQUIST JACKSON
& GOWDEY L.L.P.
whelge@dbjg.com
jwilson@dbjg.com
anoto@dbjg.com