Trials@uspto.gov
571-272-7822

Paper 31
Entered: April 17, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC,
Petitioner,

v.

LBT IP II LLC,
Patent Owner.

IPR2022-00806
Patent 8,531,289 B2

Before CHARLES J. BOUDREAU, JOHN A. HUDALLA, and STEPHEN E. BELISLE, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

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

With our authorization, Petitioner filed an Unopposed Motion to Terminate This Proceeding on April 14, 2023. Paper 30. Petitioner contends that there is good cause to terminate the proceeding because "the entirety of the briefing has not been completed . . . , and [Petitioner] has recently sought to reallocate its resources in light of budget constraints and does not wish to expend further resources on this matter following the submission of Patent Owner's response." *Id.* at 2. Petitioner also notes that granting the motion would preserve resources and would resolve matters between the parties. *Id.* at 2–3. Petitioner further represents that the requested termination does not implicate any "agreements involving any party associated with this case or the challenged patent, written or otherwise." *Id.* at 3. Finally, Petitioner represents that Patent Owner does not oppose Petitioner's motion. *Id.* at 2–3.

Under 37 C.F.R. § 42.72, "[t]he Board may terminate a trial without rendering a final written decision, where appropriate . . . ." We have not yet decided the merits of the proceeding, and a final written decision has not been entered. Although this proceeding has moved beyond the preliminary stage, we find that termination of the proceeding is appropriate. We further note that IPR2022-00926, an *inter partes* review involving a different petitioner challenging the same patent and claims as in this proceeding, remains pending. Under these circumstances, we determine that good cause exists to terminate the proceeding.

Accordingly, it is

ORDERED that the Petitioner's Unopposed Motion to Terminate This Proceeding (Paper 30) is *granted* and IPR2022-00806 is terminated pursuant to 37 C.F.R. § 42.72.

For PETITIONER:

Ellyar Barazesh
Roshan Mansinghani
Ashraf Fawzy
UNIFIED PATENTS LLC
ellyar@unifiedpatents.com
roshan@unifiedpatents.com
afawzy@unifiedpatents.com

For PATENT OWNER:

Bruce Rose
Christopher Douglas
Matthew Howell
Daniel O'Connor
ALSTON & BIRD LLP
bruce.rose@alston.com
christopher.douglas@alston.com
matthew.howell@alston.com
dan.oconnor@alston.com