

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CURRENT LIGHTING SOLUTIONS, LLC
D/B/A GE CURRENT,
Petitioner

v.

JIAXING SUPER LIGHTING ELECTRIC APPLIANCE CO., LTD.,
Patent Owner

IPR2023-00271
Patent 10,295,125 B2

JOINT MOTION TO TERMINATE PROCEEDING

PETITIONER'S EXHIBIT LIST

Exhibit	Shorthand	Description
1001	'125 Patent	U.S. Patent No. 10,295,125
1002	Baker	Declaration of R. Jacob Baker, Ph.D.
1003	Appendix B	CV of R. Jacob Baker, Ph.D.
1004	'125 Prosecution History	Prosecution History of U.S. Patent No. 10,295,125
1005	Takahashi	U.S. Patent No. 9,271,354
1006	Shimasaki	U.S. Patent No. 8,833,965
1007	Guang	U.S. Patent No. 9,338,853
1008	Takigami	U.S. Patent No. 6,365,841
1009	Robertson	U.S. Patent No. 7,114,830
1010	Van Der Wel	U.S. Patent No. 9,146,017
1011	Wilcox	U.S. Patent No. 9,726,330
1012	Luk	U.S. Patent No. 6,846,094
1013	Demuynck	U.S. Patent No. 9,328,874
1014	Kamada	U.S. Patent No. 7,948,001
1015	Jing	Chinese Patent No. CN203036295U to Jing Certified Translation
1016		Draft Litigation Stipulation
1017	<i>CH Lighting</i> Action Claim Constructions	Claim Construction Order, <i>Jiaxing Super Lighting Electric Appliance Co., Ltd. v. CH Lighting Technology Co., Ltd.</i> , No. 6:20-cv-00018, Dkt. 57 (W.D. Tex. Oct. 24, 2020)
1018	Bisberg	U.S. Patent No. 8,558,255
1019	Nakamura	U.S. Patent No. 6,331,891
1020	Kawabata	U.S. Patent No. 8,591,057
1021	Kawashima	U.S. Patent App. Pub. No. 2014/0218908
1022	'711 Prosecution History	Prosecution History of U.S. Patent No 9,609,711
1023	Lerman	U.S. Patent No. 8,461,602
1024	Litigation Scheduling Order	Scheduling Order, <i>Jiaxing Super Lighting Electric Appliance Co., Ltd. v. Current Lighting Solutions, LLC</i> , No. 6:22-cv-00534, Dkt. 31 (W.D. Tex. Dec. 12, 2020)
1025		OMITTED

Exhibit	Shorthand	Description
1026		Appeal Docketed, <i>Jiaxing Super Lighting Electric Appliance Co., Ltd. v. CH Lighting Technology Co., Ltd.</i> , No. 23-1715 (Fed. Cir. Apr. 7, 2023)
1027		Federal Circuit Case Statistics
1028		Purchase Order
1029		Current Lighting Conditions of Purchase, available at https://www.gecurrent.com/sites/default/files/documents/Current-Conditions-of-Purchase.pdf
1030		Summary of LED Tube Lamp Purchases by Current Lighting
1031		Declaration of Gino Marella
1032		Revised Draft Litigation Stipulation
1033		Redacted Version of Ex. 1031
1034		Confidential Settlement and Patent License Agreement

Pursuant to 35 U.S.C. § 317(a), 37 C.F.R. §§ 42.72 and 42.74, and the Board's authorization on October 11, 2023, Petitioner Current Lighting Solutions, LLC d/b/a/ GE Current ("Current") and Patent Owner Jiaxing Super Lighting Electric Appliance Co., Ltd. ("Super") jointly move to:

- (1) terminate this instituted proceeding per 35 U.S.C. §317(a) as a result of a settlement between Current and Super; and
- (2) treat as business confidential and keep separate the settlement agreement per 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Motion to Terminate. Current and Super have resolved their underlying dispute and reached agreement regarding the '125 Patent. A true and correct copy of that agreement is submitted as Exhibit 1034 in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). There are no other agreements or understandings, oral or written, between Current and Super made in connection with, or in contemplation of, termination of this IPR.

On October 3, 2023, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Current and Super jointly filed a motion for dismissal of all claims and counterclaims in *Jiaxing Super Lighting Electric Appliance Co., Ltd. et al. v. Current Lighting Solutions, LLC d/b/a GE Current*, Case No. 6:22-cv-00534-ADA-DTG (W.D. Tex.) (the "Court Action") (Dkt. 96), in which the '125 Patent was asserted. On October 11, 2023, the Court granted the motion and the Court Action

is terminated. Dkt. 97. Other than the Court Action, there are no litigation matters or proceedings between Current and Super involving the '125 Patent.

Termination of this proceeding is proper under 35 U.S.C. § 317(a) because the proceeding has not yet proceeded to oral argument and the Board has not decided the merits of the proceeding. Accordingly, the parties respectfully request termination of this proceeding.

Request to Keep Separate. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), the parties jointly request that Exhibit 1034 be treated as business confidential information and be kept separate from the file of the involved patent. Exhibit 1034 contains confidential and competitively sensitive business information that could cause competitive harm to the parties if publicly released.

Dated: October 13, 2023

Respectfully submitted,

/Eagle H. Robinson/
Eagle H. Robinson (Reg. No. 61,361)
Lead Counsel for Petitioner Current
Lighting Solutions, LLC d/b/a GE
Current

Dated: October 12, 2023

Respectfully submitted,

/Patrick J. McKeever/
Patrick J. McKeever (Reg. No. 66,019)
Lead Counsel for Patent Owner Jiaxing
Super Lighting Electric Appliance Co.,
Ltd.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on October 13, 2023, copies of this Joint Motion to Terminate Proceedings and EX1034 were served on Patent Owner via email (by consent) to:

IPRSuperLighting-GECurrent@perkinscoie.com

/Eagle H. Robinson/
Eagle H. Robinson (Reg. No. 61,361)