UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner,

v.

GREENTHREAD LLC,
Patent Owner.

Case IPR2023-00386
Patent No. 11,316,014

JOINT MOTION TO TERMINATE
***INTER PARTES* REVIEW**

Patent Owner Greenthread LLC and Petitioner Intel Corporation (collectively, "the Parties") have reached a settlement. Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the Parties jointly request termination of this *inter partes* review of U.S. Patent No. 11,316,014 ("Patent-in-Suit"). The Parties were authorized to file this Joint Motion by the Board via email on April 25, 2023.

As required under 35 U.S.C. § 317(b) and 37 C.F.R. §§ 42.74(b), true copies of the confidential agreements (Exs. 2001 and 2002) that resolve the disputes in this *inter partes* review relating to the Patent-in-Suit are filed herewith as confidential exhibits. There are no other collateral agreements between the Parties made in connection with, or in contemplation of, the termination sought. Due to confidentiality provisions of these Exhibits, Greenthread is not permitted to share certain portions of Exhibit 2001 with any party other than the Board and its staff. Therefore, Exhibit 2001, to which Intel is not a party, is to be filed such that it is available to the Board and Patent Owner only. Exhibits 2001 and 2002 together form the complete agreement resolving the disputes in the *inter partes* review between the Parties. The Parties have conferred on this matter, and the Parties are in agreement with this procedure.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), the Parties are concurrently filing a Joint Request to Keep Separate, which asks the Board to treat

these agreements as business confidential information, and to keep them separate from the files of this proceeding and the files of the Patent-in-Suit.

I. Statement of Precise Relief Requested

The Parties jointly request that the Board terminate this *inter partes* review in its entirety.

II. Reasons Why Termination Is Appropriate

Termination of the proceeding with respect to the parties is proper. This *inter partes* review is still in an early stage. The petition was filed on December 19, 2022 and no preliminary response has been filed. Because all parties request termination and the Board has not yet decided the merits of the proceeding, the Board should terminate the proceeding.

The lawsuit between Greenthread and Intel involving the Patent-in-Suit (*Greenthread, LLC v. Intel Corp.*, No. 3:22-cv-02001 (D. Or.)) was dismissed April 24, 2023.

III. Conclusion

The Parties have settled all disputes relating to the Patent-in-Suit. This *inter partes* review is in an early stage, and the Board has not entered an institution decisions or a final written decision on the merits in this proceeding. Accordingly, the Parties respectfully request the Board to terminate this proceeding in its entirety.

Dated: April 26, 2023 Respectfully submitted,

<u>/s/ Robert A. Appleby, P.C.</u> Robert A. Appleby (No. 40,897) Gregory S. Arovas (No. 38,818) Todd M. Friedman, P.C. (No. 42,559) robert.appleby@kirkland.com greg.arovas@kirkland.com todd.friedman@kirkland.com Postal and Hand-Delivery Address: KIRKLAND & ELLIS LLP 601 Lexington Avenue New York, NY 10022 Telephone: (212) 446-4800 Facsimile: (212) 446-4900 Bao Nguyen (No. 46,062) bnguyen@kirkland.com Postal and Hand-Delivery Address: KIRKLAND & ELLIS LLP 555 California Street Sam Francisco, CA 94104 Telephone: (415)-439-1400 Facsimile: (415)-439-1500 *Counsel for Petitioner*	*<u>/s/ Alan L. Whitehurst</u>* Alan L. Whitehurst Reg. No. 43,263 awhitehurst@mckoolsmith.com Nicholas T. Matich Reg. No. L1,373 nmatich@mckoolsmith.com Arvind Jairam Reg. No. 62,759 ajairam@mckoolsmith.com Stuart McCommas Reg. No. 71,834 smccommas@mckoolsmith.com Greenthread-IPR-MS@mckoolsmith.com **MCKOOL SMITH, P.C.** 1999 K St. NW, Suite 600 Washington, DC 20006 Telephone: (202) 370-8300 Facsimile: (202) 370-8344 Archis "Neil" Ozarkar Reg. No. 71,265 nozarkar@mckoolsmith.com **MCKOOL SMITH, P.C.** 600 Travis Street, Suite 600 Houston, TX 77002 Telephone: (713) 485-7310 Facsimile: (713) 485-7344 *Counsel for Patent Owner*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW** has been served on Petitioner via email on the following counsel of record for Petitioner:

Robert A. Appleby (Lead Counsel)
robert.appleby@kirkland.com
Gregory S. Arovas (Back-up Counsel)
greg.arovas@kirkland.com
Todd M. Friedman, P.C. (Back-up Counsel)
todd.friedman@kirkland.com
Bao Nguyen (Back-up Counsel)
bao.nguyen@kirkland.com
Intel_Greenthread_IPR@kirkland.com
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Dated: April 26, 2023

By */s/ Alan L. Whitehurst*
Alan L. Whitehurst (Reg. No. 43,263)