UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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DELL TECHNOLOGIES INC. AND DELL INC.,

Petitioners,

v.

GREENTHREAD LLC,

Patent Owner.

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Case: IPR2023-00507

U.S. Patent No. 10,734,481

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

Patent Owner Greenthread LLC and Petitioners Dell Technologies Inc. and Dell Inc. (collectively "Dell") (collectively, Greenthread and Dell are "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 the joined *inter partes* review of U.S. Patent No. 10,734,481 ("Patent-in-Suit"), Case No. IPR2023-00507. The Parties were authorized to file this Joint Motion by the Board (via email) on April 27, 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 the above-captioned *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 Ex. 2001 with any party other than the Board and its staff. Therefore, Exhibit 2001, to which Dell 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), Greenthread and Dell are concurrently filing Joint Requests to Keep Separate, which ask 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 *inter partes* review of the Patent-in-Suit, Case No. IPR2023-00507, 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 January 27, 2023 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.

A joint motion to dismiss the lawsuit between Greenthread and Dell involving the Patent-in-Suit was filed on 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 decision 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: May 2, 2023 Respectfully submitted,

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| *<u>/Christopher TL Douglas/</u>*<br>*<u>(with Permission)</u>*<br>Christopher TL Douglas (Lead Counsel)<br>Counsel for Petitioner Reg. No. 56,950<br>christopher.douglas@alston.com<br>Lauren N. Griffin (Back-up Counsel)<br>lauren.griffin@alston.com<br>**ALSTON & BIRD LLP**<br>101 South Tryon Street, Suite 4000<br>Charlotte, North Carolina 28280<br>Telephone: (704) 444-1000<br><br>Jacob W. Young<br>jacob.young@alston.com<br>**ALSTON & BIRD LLP**<br>2200 Ross Avenue, Suite 2200<br>Dallas, Texas 75201<br>Telephone: (214) 922-3400<br>Dell-Greenthread@alston.com<br><br>*Counsel for Petitioners* | *<u>/s/ Alan L. Whitehurst</u>*<br>Alan L. Whitehurst<br>Reg. No. 43,263<br>awhitehurst@mckoolsmith.com<br>Nicholas T. Matich<br>Reg. No. L1,373<br>nmatich@mckoolsmith.com<br>Arvind Jairam<br>Reg. No. 62,759<br>ajairam@mckoolsmith.com<br>Stuart McCommas<br>Reg. No. 71,834<br>smccommas@mckoolsmith.com<br>Greenthread-IPR-MS@mckoolsmith.com<br>**MCKOOL SMITH, P.C.**<br>1999 K St. NW, Suite 600<br>Washington, DC 20006<br>Telephone: (202) 370-8300<br>Facsimile: (202) 370-8344<br><br>Archis "Neil" Ozarkar<br>Reg. No. 71,265<br>nozarkar@mckoolsmith.com<br>**MCKOOL SMITH, P.C.**<br>600 Travis Street, Suite 600<br>Houston, TX 77002<br>Telephone: (713) 485-7310<br>Facsimile: (713) 485-7344<br><br>*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 Petitioners via email on the following counsel of record for Petitioners:


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Dated: May 2, 2023

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