

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

LIONRA TECHNOLOGIES LTD.,
Patent Owner.

IPR2023-00537
Patent 7,916,630 B2

Before PATRICK R. SCANLON, JO-ANNE M. KOKOSKI, and
STEVEN M. AMUNDSON, *Administrative Patent Judges*.

AMUNDSON, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

Cisco Systems, Inc. (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–12, 14, and 15 in U.S. Patent No. 7,916,630 B2 (Exhibit 1001, “the ’630 patent”) under 35 U.S.C. §§ 311–319. Paper 2. Lionra Technologies Ltd. (“Patent Owner”) filed a Preliminary Response. Paper 6.

On September 26, 2023, the Board instituted an *inter partes* review of claims 1–12, 14, and 15 in the ’630 patent. Paper 8.

On December 13, 2023, after receiving Board authorization, Petitioner and Patent Owner filed a Joint Motion to Terminate this proceeding under 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74. Paper 10. As Exhibit 1011, the parties filed a “true and accurate copy” of an agreement titled “Joint Stipulation of Dismissal of Certain Asserted Patents by Lionra Technologies Limited and Cisco Systems, Inc.” (the “Joint Stipulation of Dismissal”). Ex. 1011, 1; *see* Paper 10, 1–2.

II. DISCUSSION

The parties represent that they filed the Joint Stipulation of Dismissal in *Lionra Technologies Limited v. Cisco Systems, Inc.*, No. 2:22-cv-00305 in the Eastern District of Texas, to “dismiss the ’630 patent with prejudice from the co-pending litigation.” Paper 10, 1. The parties represent that their “dispute with respect to the ’630 patent is fully resolved.” *Id.* The parties also represent that the Joint Stipulation of Dismissal is “the sole and entire agreement between Cisco and Lionra made in connection with, or in contemplation of, terminating this proceeding.” *Id.* (citing Ex. 1011, 3–4).

Further, the parties assert that:

- (1) “Congress and federal courts have expressed a strong interest in encouraging settlement in litigation”;
- (2) terminating this proceeding will promote “the congressional goal of establishing a more efficient patent system by limiting unnecessary and counterproductive costs”;
- (3) public policy favors terminating this proceeding;
- (4) terminating this proceeding will allow the Board to “conserve its resources”; and
- (5) terminating this proceeding is “appropriate as the Board has not” yet “decided the merits of the proceeding.”

Paper 10, 2–3.

This proceeding has not progressed very far. Patent Owner has not yet filed its Response. Terminating this proceeding will save the Board administrative and judicial resources, e.g., in conducting an oral argument and issuing a final written decision to decide the patentability issues raised in the Petition. Further, “[t]here are strong public policy reasons to favor settlement between the parties to a proceeding,” and “[t]he Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.” Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012); *see* Consolidated Trial Practice Guide, 86 (Nov. 2019).¹

Under these circumstances, we determine that it is appropriate to terminate this proceeding.

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

This Order does not constitute a final written decision under 35 U.S.C. § 318(a).

III. ORDER

Accordingly, it is

ORDERED that the parties' Joint Motion to Terminate (Paper 10) is granted; and

FURTHER ORDERED that this proceeding is terminated as to all parties.

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Patent 7,916,630 B2

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