

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

NETSOCKET, INC.,
Patent Owner.

IPR2023-00606
Patent 7,616,601 B2

Before RICHARD M. LEBOVITZ, STACEY G. WHITE, and
GARTH D. BAER, *Administrative Patent Judges*.

WHITE, *Administrative Patent Judge*.

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

On March 19, 2024, pursuant to 37 C.F.R. § 42.71(a) and 35 U.S.C. § 317(a), the Petitioner (Cisco Systems, Inc.) and Patent Owner (NetSocket, Inc.) filed a joint motion to terminate this proceeding (“Joint Motion”) (Paper 18). The parties “seek to streamline the issues in dispute by dropping all claims and counterclaims relating 7,616,601 (the “’601 Patent”). Therefore, the Parties agree to terminate the Inter Partes Review proceedings in IPR2023-00606, challenging claims 1 - 9 of the ’601 Patent.” Joint Motion. 1. The parties describe the filed copy of the Joint Stipulation of Dismissal as “the sole and entire agreement between Cisco and Netsocket made in connection with, or in contemplation of, terminating this proceeding.” *Id.* at 1 (citing Ex. 1045 ¶ 12). The parties represent that their “dispute with respect to the ’601 patent is fully resolved.” *Id.* The parties further represent that “there are no other collateral agreements or understandings, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the present proceeding.” *Id.* at 2.

Under 35 U.S.C. § 317(a), “[a]n inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” Section 35 U.S.C. § 317(a) also provides that if no petitioner remains in the *inter partes* review, the Office may terminate the review. This proceeding is at an intermediate stage. We have not yet decided the merits of this proceeding, and a final written decision has not been entered in this proceeding. Furthermore, there are strong public policy reasons to favor settlement between the parties to a proceeding. Patent Trial and Appeal Board Consolidated Trial Practice Guide, 84 Fed. Reg. 64,280 (Nov. 21,

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2019). Under these circumstances, and in view of the parties' settlement and representations, we determine that good cause exists to terminate this proceeding. Accordingly, we *grant* the Joint Motion.

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

ORDER

Accordingly, it is:

ORDERED that the Joint Motion to terminate IPR2023-00606 is *granted*, and that IPR2023-00606 is *terminated*;

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