

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner

v.

LIONRA TECHNOLOGIES LIMITED,
Patent Owner.

IPR2023-00669
U.S. Patent No. 7,302,708

JOINT MOTION TO TERMINATE PURSUANT TO 35 U.S.C. § 317(a)

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72, Cisco Systems, Inc., (“Petitioner”) and Patent Owner Lionra Technologies Limited (“Patent Owner”) jointly move to terminate the *inter partes* review of U.S. Patent No. 7,302,708 (“the ’708 Patent”), Case No. IPR2023-00669, with the United States Patent and Trademark Office. This Joint Motion was authorized by the Board via email on December 13, 2023.

The Parties have settled their dispute and have reached agreement to terminate this *inter partes* review. In the related litigation before the United States District Court for the Eastern District of Texas, Marshall Division, under the consolidated case number 2:22-cv-00322-JRG-RSP, the Parties filed a Joint Motion requesting the Court to adopt and enter the Parties’ Joint Stipulation regarding the dismissal of certain asserted patents, including the ’708 Patent. *See* Attachment A. The Parties’ Joint Stipulation, provided in Attachment A, is the sole and entire agreement between the Parties made in connection with, or in contemplation of, the termination of this proceeding. There are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.

On December 8, 2023, the Court granted the Parties’ Joint Motion and dismissed the claim for infringement of the ’708 patent against Petitioner with prejudice. *Id.* Enclosed herewith as Attachment A are copies of the Court’s Order and the Parties’ Joint Motion and Joint Stipulation.

No other petitioners remain in this *inter partes* review,¹ and no Final Written

Decision on the merits has been entered. For at least these reasons, termination of the *inter partes* review is proper under 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74(a).

Respectfully submitted,

/Monté T. Squire/

Monté T. Squire, Reg. No. 80,123
DUANE MORRIS LLP
1201 N. Market St., Suite 501
Wilmington, DE 19801

/Robert Auchter/

Robert Auchter, Reg. No. 38,069
AUCHTER PLLC
1629 K Street, NW, Suite 300
Washington, DC 20006

Date: December 15, 2023

¹ The parties in IPR2024-00177 have similarly filed a Joint Motion to terminate that proceeding. See IPR2024-00177 Paper 7. The petitioner in IPR2024-00177 had previously filed a Motion for Joinder with this proceeding. IPR2024-00177 Paper 3.

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on Patent Owner as detailed below.

Date of service December 15, 2023

Manner of service Electronic Service: bcooper@bc-lawgroup.com;
Lionra_Counsel@b-clg.com; robert@auchterlaw.com

Documents served **Joint Motion to Terminate**

Persons served Brett Cooper
BC LAW GROUP, P.C.
200 Madison Avenue, 24th Floor
New York, NY 10016

Robert A. Auchter
Auchter PLLC
1629 K Street, NW, Suite 300
Washington, DC 20006

Respectfully submitted,

/Monté T. Squire/
Monté T. Squire
Lead Counsel for Petitioner
Registration No. 80,123

ATTACHMENT A

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LIONRA TECHNOLOGIES LIMITED v. FORTINET, INC.	Case No. 2:22-cv-00322-JRG-RSP (Lead Case) JURY TRIAL DEMANDED
LIONRA TECHNOLOGIES LIMITED v. CISCO SYSTEMS, INC.	Case No. 2:22-cv-00305-JRG-RSP (Member Case)
LIONRA TECHNOLOGIES LIMITED v. PALO ALTO NETWORKS, INC.	Case No. 2:22-cv-00334-JRG-RSP (Member Case)

**JOINT MOTION REGARDING STIPULATION OF
DISMISSAL OF CERTAIN ASSERTED PATENTS BY
LIONRA TECHNOLOGIES LIMITED AND CISCO SYSTEMS, INC.**

Plaintiff Lionra Technologies Limited (“Lionra”), together with Defendant Cisco Systems, Inc. (“Cisco”) respectfully submit this Joint Motion requesting that the Court adopt and enter the Joint Stipulation between Lionra and Cisco regarding the dismissal of certain asserted patents, submitted as Exhibit A to this Motion, in accordance with the Second Amended Docket Control Order (Dkt. No. 160) and following this Court’s November 27, 2023 Claim Construction Order (Dkt. No. 162).

Pursuant to Federal Rule of Civil Procedure 41(a)(2), the parties further request that the Court enter the proposed order attached as Exhibit B to this Motion dismissing Lionra’s claims for infringement of U.S. Patent No. 7,302,708 (“the ’708 patent”); and U.S. Patent No. 7,916,630

(“the ’630 patent) against Cisco based on Cisco’s manufacture, importation, use, sale and/or offer for sale of any accused Cisco products.

For the reasons set forth herein, Lionra and Cisco respectfully request that the Court grant this Joint Motion to (1) adopt and enter the Stipulation attached as Exhibit A and (2) enter the proposed order dismissing the claims for infringement of the ’708 and ’630 patents.

Dated: December 1, 2023.

By: /s/ Brett Cooper

Brett E. Cooper (NY SBN 4011011)
bcooper@bc-lawgroup.com
Seth Hasenour (TX SBN 24059910)
shasenour@bc-lawgroup.com
Jonathan Yim (TX SBN 24066317)
jyim@bc-lawgroup.com
Drew B. Hollander (NY SBN 5378096)
dhollander@bc-lawgroup.com

BC LAW GROUP, P.C.

200 Madison Avenue, 24th Floor
New York, NY 10016
Tel.: (212) 951-0100
Fax: (646) 293-2201

**ATTORNEYS FOR PLAINTIFF
LIONRA TECHNOLOGIES LTD**

Respectfully submitted,

By: /s/ Brian Rosenthal

Brian A. Rosenthal (lead attorney)
brosenthal@gibsondunn.com
Katherine Dominguez
kdominguez@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: 212.351.4000
Facsimile: 212.351.4035

Stuart M. Rosenberg
srosenberg@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
310 University Avenue
Palo Alto, CA 94304-1211
Telephone: 650.849.5300
Facsimile: 650.849.5333

Albert Suarez IV
asuarez@gibsondunn.com
Texas State Bar No. 24113094
Audrey Yang
ayang@gibsondunn.com
Texas State Bar No. 24118593
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201-6912
Telephone: 214.698.3360
Facsimile: 214.571.2907

Melissa R. Smith

melissa@gillamsmithlaw.com
Texas State Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: 903.934.8450
Facsimile: 903.934.9257

ATTORNEYS FOR CISCO SYSTEMS, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Brett Cooper
Brett Cooper

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Parties complied with the meet and confer requirement in Local Rule CV-7(h) on December 1, 2023, and the Parties are in agreement as to this Motion's substance, as indicated by the signatures of counsel for all Parties.

/s/ Brett Cooper
Brett Cooper

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LIONRA TECHNOLOGIES LIMITED v. FORTINET, INC.	Case No. 2:22-cv-00322-JRG-RSP (Lead Case) JURY TRIAL DEMANDED
LIONRA TECHNOLOGIES LIMITED v. CISCO SYSTEMS, INC.	Case No. 2:22-cv-00305-JRG-RSP (Member Case)
LIONRA TECHNOLOGIES LIMITED v. PALO ALTO NETWORKS, INC.	Case No. 2:22-cv-00334-JRG-RSP (Member Case)

**JOINT STIPULATION OF DISMISSAL OF CERTAIN ASSERTED PATENTS BY
LIONRA TECHNOLOGIES LIMITED AND CISCO SYSTEMS, INC.**

Plaintiff Lionra Technologies Limited (“Lionra”) and Defendant Cisco Systems, Inc. (“Cisco”) hereby stipulate and agree as follows:

WHEREAS, on August 8, 2022, Lionra filed a complaint (Dkt. No. 1) (the “Complaint”) in *Lionra Technologies Limited v. Cisco Systems, Inc.*, Case No. 2:22-cv-00305, the above-captioned action alleging certain Cisco products identified therein infringed U.S. Patent No. 7,916,630 (“the ’630 Patent”), 8,566,612 (“the ’612 Patent”), 7,921,323 (“the ’323 Patent”), 7,302,708 (“the ’708 Patent”), and 7,685,436 (“the ’436 Patent”) (collectively, the “patents-in-suit”);

WHEREAS, on May 22, 2023, Cisco filed an Answer (Dkt. No. 121) raising defenses of, *inter alia*, non-infringement and invalidity;

WHEREAS, on February 7, 2023, Cisco filed a petition for *Inter Partes* Review in IPR2023-00537, challenging claims 1-12, 14, and 15 of the '630 Patent;

WHEREAS, on July 31, 2020, Cisco filed petitions for *Inter Partes* Review in IPR2023-00669 and IPR2023-00670, challenging claims 1-6 and 9 and claims 10-14 of the '708 Patent;

WHEREAS, on November 27, 2023, the Court issued a Claim Construction Order (Dkt. No. 162) construing certain terms of claims of the '708 Patent and adopting the parties' agreed constructions for the '630 Patent;

WHEREAS, the Court's Second Amended Docket Control Order requires that Lionra disclose its reduced election of Asserted Claims by December 4, 2023;

WHEREAS, the parties seek to streamline the issues in dispute; and

NOW, THEREFORE, in consideration thereof and of the mutual agreements, provisions and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the Parties HEREBY STIPULATE AND AGREE AS FOLLOWS:

1. Count 1 of the Complaint alleging infringement of the '630 Patent against Cisco is dismissed with prejudice;

2. Count 4 of the Complaint alleging infringement of the '708 Patent against Cisco is dismissed with prejudice;

3. Lionra, for and on behalf of itself, as well as any of its predecessors, successors, assigns, directors, officers, employees, and agents, hereby releases and unconditionally and irrevocably covenants to refrain from making any claim(s) or demand(s) against Cisco or any of its parents, subsidiaries, divisions, and affiliates, as well as any of their predecessors, successors, assigns, directors, officers, employees, agents, and distributors (collectively, "the Cisco

Covenanted Parties”) based on any possible cause of action arising under the patent laws of the United States, relating to any claim of the ’630 and/or ’708 Patents with respect to any product made, used, sold, offered for sale, or imported by the Cisco Covenanted Parties, regardless of whether the products are made, used, offered for sale, or imported before, on, or after the date of this covenant. The covenant for the ’630 Patent extends through the life of the ’630 Patent plus the resulting 6-year statutory damages period set forth in 35 U.S.C. § 286. The covenant for the ’708 Patent extends through the life of the ’708 Patent plus the resulting 6-year statutory damages period set forth in 35 U.S.C. § 286. For avoidance of doubt, this covenant does not apply to the ’436 Patent, ’323 Patent, or ’612 Patent.

4. Cisco and Lionra will jointly request that the PTAB terminate IPR2023-00537 challenging claims 1-12, 14, and 15 of the ’630 Patent;

5. Cisco and Lionra will jointly request that the PTAB terminate IPR2023-00669 and IPR2023-00670 challenging claims 1-6 and 9 and claims 10-14 of the ’708 Patent; and

6. Within 5 days of the Court’s entry of this Stipulation, Cisco will notify the Patent Trial and Appeal Board requesting permission to file joint motions to terminate IPR2023-00537, IPR2023-00669, and IPR2023-00670;

7. Within 5 days of receiving permission from the Patent Trial and Appeal Board, the parties shall execute and file joint motions to terminate IPR2023-00537, IPR2023-00669, and IPR2023-00670;

8. This Stipulation only dismisses those claims relating to the ’630 and ’708 Patents and does not dismiss any other claims of infringement based on the ’436 Patent, ’323 Patent, and/or ’612 Patent, nor any other pending IPRs relating to those patents;

9. This Stipulation is the sole and entire agreement between the Cisco and Lionra

made in connection with, or in contemplation of, the termination of IPR2023-00537, IPR2023-00669, and IPR2023-00670.

Dated: December 1, 2023.

By: /s/ Brett Cooper

Brett E. Cooper (NY SBN 4011011)
bcooper@bc-lawgroup.com
Seth Hasenour (TX SBN 24059910)
shasenour@bc-lawgroup.com
Jonathan Yim (TX SBN 24066317)
jyim@bc-lawgroup.com
Drew B. Hollander (NY SBN 5378096)
dhollander@bc-lawgroup.com

BC LAW GROUP, P.C.

200 Madison Avenue, 24th Floor
New York, NY 10016
Tel.: (212) 951-0100
Fax: (646) 293-2201

**ATTORNEYS FOR PLAINTIFF
LIONRA TECHNOLOGIES LTD**

Respectfully submitted,

By: /s/ Brian Rosenthal

Brian A. Rosenthal (lead attorney)
brosenthal@gibsondunn.com
Katherine Dominguez
kdominguez@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: 212.351.4000
Facsimile: 212.351.4035

Stuart M. Rosenberg
srosenberg@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
310 University Avenue
Palo Alto, CA 94304-1211
Telephone: 650.849.5300
Facsimile: 650.849.5333

Albert Suarez IV
asuarez@gibsondunn.com
Texas State Bar No. 24113094
Audrey Yang
ayang@gibsondunn.com
Texas State Bar No. 24118593
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201-6912
Telephone: 214.698.3360
Facsimile: 214.571.2907

Melissa R. Smith
melissa@gillamsmithlaw.com
Texas State Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: 903.934.8450
Facsimile: 903.934.9257

ATTORNEYS FOR CISCO SYSTEMS, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Brett Cooper
Brett Cooper

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LIONRA TECHNOLOGIES LIMITED v. FORTINET, INC.	Case No. 2:22-cv-00322-JRG-RSP (Lead Case) JURY TRIAL DEMANDED
LIONRA TECHNOLOGIES LIMITED v. CISCO SYSTEMS, INC.	Case No. 2:22-cv-00305-JRG-RSP (Member Case)
LIONRA TECHNOLOGIES LIMITED v. PALO ALTO NETWORKS, INC.	Case No. 2:22-cv-00334-JRG-RSP (Member Case)

**ORDER GRANTING JOINT MOTION TO ADOPT AND ENTER
STIPULATION AND DISMISSING CERTAIN CLAIMS
BY LIONRA TECHNOLOGIES LIMITED AND CISCO SYTEMS, INC.**

Before the Court is Plaintiff Lionra Technologies Limited’s and Defendant Cisco Systems, Inc.’s (collectively, the “Parties”) Joint Motion to enter and adopt the Joint Stipulation regarding dismissal of certain claims and to dismiss certain claims from this action with prejudice.

Having duly considered the Parties’ submission, the Court GRANTS the Motion. The Court enters and takes judicial notice of the Stipulation attached to the Joint Motion as Exhibit A.

IT IS ORDERED that “Count 1 – Claim for infringement of the ‘630 patent” is dismissed with prejudice.

IT IS FURTHER ORDERED that “Count 4 – Claim for infringement of the ‘708 patent”
is dismissed with prejudice.

No other claims relating to the other asserted patents are affected by this Order.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

LIONRA TECHNOLOGIES LIMITED,

Plaintiff,

v.

FORTINET, INC.,

Defendant.

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Case No. 2:22-CV-00322-JRG-RSP
(Lead Case)

ORDER

Before the Court is Plaintiff Lionra Technologies Limited's and Defendant Cisco Systems, Inc.'s (collectively, the "Parties") Joint Motion to enter and adopt the Joint Stipulation regarding dismissal of certain claims and to dismiss certain claims from this action with prejudice. (Dkt. No. 168.)

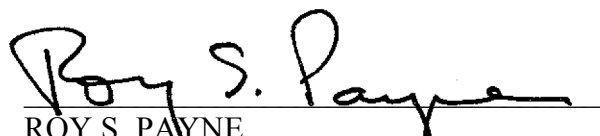
Having duly considered the Parties' submission, the Court **GRANTS** the Motion. The Court enters and takes judicial notice of the Stipulation attached to the Joint Motion as Exhibit A.

IT IS ORDERED that "Count 1 – Claim for infringement of the '630 patent" in member case 2:22-cv-305 is dismissed with prejudice.

IT IS FURTHER ORDERED that "Count 4 – Claim for infringement of the '708 patent" in member case 2:22-cv-305 is dismissed with prejudice.

No other claims relating to the other asserted patents are affected by this Order.

SIGNED this 8th day of December, 2023.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE