

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

LIONRA TECHNOLOGIES LTD.,
Patent Owner.

IPR2023-00669
Patent 7,302,708 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 1–6 and 9 in U.S. Patent No. 7,302,708 B2 (Exhibit 1001, “the ’708 patent”) under 35 U.S.C. §§ 311–319. Paper 2. Lionra Technologies Ltd. (“Patent Owner”) filed a Preliminary Response. Paper 7.

On October 23, 2023, the Board instituted an *inter partes* review of claims 1–6 and 9 in the ’708 patent. Paper 10.

On December 15, 2023, after receiving Board authorization, Petitioner and Patent Owner filed a Joint Motion to Terminate this proceeding under 35 U.S.C. § 317(a). Paper 12. As an attachment to the Joint Motion, the parties filed a 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”). Paper 12, Joint Stip.

II. DISCUSSION

The parties represent that they “have settled their dispute and have reached agreement to terminate this *inter partes* review.” Paper 12, 2. The parties represent that they filed the Joint Stipulation of Dismissal 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.” *Id.* The parties also represent that the Joint Stipulation of Dismissal “is the sole and entire agreement between the Parties made in connection with, or in contemplation of, the termination of this proceeding” and that “[t]here are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.” *Id.*; *see* Paper 12, Joint Stip. 3–4.

Further, the parties assert that termination of this *inter partes* review is appropriate because (1) “[n]o other petitioners remain in this *inter partes* review” and (2) “no Final Written Decision on the merits has been entered.” Paper 12, 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.

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 12) is granted; and

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

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

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