

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CURRENT LIGHTING SOLUTIONS, LLC
D/B/A GE CURRENT,
Petitioner

v.

JIAXING SUPER LIGHTING ELECTRIC APPLIANCE CO., LTD.,
Patent Owner

IPR2023-00675
Patent 10,897,801

JOINT MOTION TO TERMINATE PROCEEDING

PETITIONER'S EXHIBIT LIST

Exhibit	Shorthand	Description
1001	'801 Patent	U.S. Patent No. 10,897,801
1002	'801 File History	Prosecution History of U.S. Patent No. 10,897,801
1003	Ackley	Declaration of Donald E. Ackley, Ph.D.
1004	Ackley CV	CV of Donald E. Ackley, Ph.D.
1005	Li	Chinese Patent Publication 103899939A to Li Certified Translation
1006	Ono	Japanese Patent Publication JP 2014-103000A to Ono et al. Certified Translation
1007	Guang	U.S. Patent No. 9,338,853 to Guang
1008	Miyamichi	U.S. Patent No. 8,779,679 to Miyamichi
1009	Shimasaki	U.S. Patent No. 8,833,965 to Shimasaki
1010	Liu	<i>LED Packaging for Lighting Applications – Design, Manufacturing and Testing</i> , Sheng Liu et al., Chemical Industry Press (2011)
1011	Garbowicz	U.S. Patent No. 5,616,990 to Garbowicz et al.
1012	Deng	Chinese Patent No. CN203797412U to Deng Certified Translation
1013	Draft Stipulation	Draft Stipulation of Invalidity Contentions, <i>Jiaxing Super Lighting Electric Appliance Co., Ltd. et al. v. Current Lighting Solutions, LLC d/b/a GE Current</i> , Civil Action No. 6:22-cv-00534-ADA (W.D. Tex. 2022)
1014	Esaki	U.S. Patent No. 8,872,437 to Esaki
1015	Burdalski	U.S. Patent No. 8,384,299 to Burdalski et al.
1016	Xu	Chinese Patent Publication 2802892Y to Xu Certified Translation
1017	Litigation Scheduling Order	Scheduling Order, <i>Jiaxing Super Lighting Electric Appliance Co., Ltd. et al. v. Current Lighting</i>

		<i>Solutions, LLC d/b/a GE Current</i> , Civil Action No. 6:22-cv-00534-ADA (W.D. Tex. 2022)
1018	Kawabata	U.S. Patent No. 8,591,057 to Kawabata et al.
1019	Riedon	Rideon, <i>How Resistors Work</i> , (July 16, 2014) <i>available at</i> https://web.archive.org/web/20140717035916/ https://riedon.com/technical/a-resistance-primer
1020	Holec	U.S. Patent No. 8,007,286 to Holec et al.
1021		Confidential Settlement and Patent License Agreement

Pursuant to 35 U.S.C. § 317(a), 37 C.F.R. §§ 42.72 and 42.74, and the Board's authorization on October 11, 2023, Petitioner Current Lighting Solutions, LLC d/b/a/ GE Current ("Current") and Patent Owner Jiaxing Super Lighting Electric Appliance Co., Ltd. ("Super") jointly move to:

- (1) terminate this pre-institution proceeding per 35 U.S.C. §317(a) as a result of a settlement between Current and Super; and
- (2) treat as business confidential and keep separate the settlement agreement per 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Motion to Terminate. Current and Super have resolved their underlying dispute and reached agreement regarding the '801 Patent. A true and correct copy of that agreement is submitted as Exhibit 1021 in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). There are no other agreements or understandings, oral or written, between Current and Super made in connection with, or in contemplation of, termination of this IPR.

On October 3, 2023, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Current and Super jointly filed a motion for dismissal of all claims and counterclaims in *Jiaxing Super Lighting Electric Appliance Co., Ltd. et al. v. Current Lighting Solutions, LLC d/b/a GE Current*, Case No. 6:22-cv-00534-ADA-DTG (W.D. Tex.) (the "Court Action") (Dkt. 96), in which the '801 Patent was asserted. On October 11, 2023, the Court granted the motion and the Court Action

is terminated. Dkt. 97. Other than the Court Action, there are no litigation matters or proceedings between Current and Super involving the '801 Patent.

Termination of this proceeding is proper under 35 U.S.C. § 317(a) because the proceeding has not yet proceeded to oral argument and the Board has not decided the merits of the proceeding. Accordingly, the parties respectfully request termination of this proceeding.

Request to Keep Separate. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), the parties jointly request that Exhibit 1021 be treated as business confidential information and be kept separate from the file of the involved patent. Exhibit 1021 contains confidential and competitively sensitive business information that could cause competitive harm to the parties if publicly released.

Dated: October 13, 2023

Respectfully submitted,

/Eagle H. Robinson/
Eagle H. Robinson (Reg. No. 61,361)
Lead Counsel for Petitioner Current
Lighting Solutions, LLC d/b/a GE
Current

Dated: October 12, 2023

Respectfully submitted,

/Patrick J. McKeever/
Patrick J. McKeever (Reg. No. 66,019)
Lead Counsel for Patent Owner Jiaxing
Super Lighting Electric Appliance Co.,
Ltd.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on October 13, 2023, copies of this Joint Motion to Terminate Proceedings and EX1021 were served on Patent Owner via email (by consent) to:

IPRSuperLighting-GECurrent@perkinscoie.com

/Eagle H. Robinson/
Eagle H. Robinson (Reg. No. 61,361)