

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC., AMAZON WEB SERVICES, INC., AND
AMAZON.COM SERVICES LLC
Petitioner,

v.

LS CLOUD STORAGE TECHNOLOGIES, LLC
Patent Owner.

Patent No. 10,154,092 B2

Inter Partes Review No. IPR2023-00733¹

**UNOPPOSED MOTION TO TERMINATE PROCEEDING
PURSUANT TO 35 U.S.C. § 317(A) AND 37 C.F.R. § 42.72**

¹ This case is joined with IPR2023-00120. Per the Board's order (IPR2023-00733 Paper 14), Petitioner Amazon is authorized to make any such filings related to IPR2023-00120 in the instant proceeding. In addition, Petitioners Google, Microsoft, Cisco, and Patent Owner each filed respective approved Joint Motions to Terminate as to Petitioners Google, Microsoft, and Cisco. Accordingly, Amazon.com, Inc., Amazon Web Services, Inc., and Amazon.com Services LLC, collectively "Amazon," or "the Amazon entities" remain as Petitioners in this proceeding.

PETITIONER'S UPDATED LIST OF EXHIBITS

Exhibit Description	Exhibit #
U.S. Patent No. 10,154,092	1001
File History of U.S. Patent No. 10,154,092 (Application No. 14/997,327)	1002
File History of U.S. Patent No. 6,549,988 (Application No. 09/236,409)	1003
Declaration of Dr. Paul Franzon, Ph.D.	1004
CV of Dr. Paul Franzon, Ph.D.	1005
U.S. Patent No. 6,173,374 ("Heil")	1006
U.S. Patent No. 5,920,893 ("Nakayama")	1007
U.S. Patent No. 5,692,211 ("Gulick")	1008
U.S. Patent No. 6,118,776 ("Berman")	1009
United States District Courts – National Judicial Caseload Profile, https://www.uscourts.gov/sites/default/files/fcms_na_distprofile0331.2022.pdf (accessed September 21, 2022)	1010
Order Staying Case in LS Cloud Storage Technologies, LLC v. Google LLC, 1:22-cv-00853 (W.D. Tex. 2022)	1011
USPTO Memo: Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation, June 21, 2022	1012
Order Setting Initial Pretrial Conference for 11/3/2022 in LS Cloud Storage Technologies, LLC v. Google LLC, 1:22-cv00853 (W.D. Tex. 2022)	1013
D. Patterson, G. Gibson, R. Katz, entitled "A Case for Redundant Arrays of Inexpensive Disks (RAID)". SIGMOD88: International Conference On Management of Data Chicago Illinois USA June 1 - 3, 1988	1014
R. H. Katz, "Network-attached storage systems," Proceedings Scalable High Performance Computing Conference SHPCC92., Williamsburg, VA, USA, 1992, pp. 68-75	1015
Gang Ma and A. L. Narasimha Reddy, "An evaluation of storage systems based on network-attached disks," Proceedings. 1998 International	1016

Exhibit Description	Exhibit #
Conference on Parallel Processing (Cat. No.98EX205), Minneapolis, MN, USA, 1998, pp. 278-285.	
Average Time to Trial for Patent Cases before Judge Yeakel, retrieved from www.docketnavigator.com	1017
Infringement Contentions served in LS Cloud Storage Technologies, LLC v. Google LLC, 1:22-cv-00853 (W.D. Tex. 2022)	1018
RESERVED	1019
Confidential Settlement Agreement	1020
Agreed Stipulation of Dismissal With Prejudice (LS Cloud and Cisco)	1021
Report on the Filing or Determination of an Action Regarding a Patent or Trademark (LS Cloud and Cisco)	1022
Redline Comparison of Patent Owner's Preliminary Response vs. Patent Owner's Response filed in IPR2023-00120	1023
Email dated January 19, 2024 from Patent Owner's Counsel	1024 [NEW]
Final Judgment in LS Cloud Storage Technologies, LLC v. Amazon.com, Inc., 1:22-cv-1167-RP, ECF No. 34 (W.D. Tex. Mar. 16, 2023)	1025 [NEW]

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72, Amazon.com, Inc., Amazon Web Services, Inc., and Amazon.com Services LLC (“Petitioner”) moves for termination of the *inter partes* review of U.S. Patent No. 10,154,092 (“the ’092 Patent”) in Case No. IPR2023-00120 as to Petitioner.²

In IPR2023-00120, Google LLC filed a petition for *inter partes* review of the ’092 Patent on November 2, 2022. (IPR2023-00120 Paper 1.) Patent Owner filed a preliminary response on February 28, 2023 (IPR2023-00120 Paper 6.) In IPR2023-00733, Petitioner, along with Cisco Systems, Inc. and Microsoft Corporation, filed its petition for *inter partes* review and moved for joinder to IPR2023-00120 on March 20, 2023. (IPR2023-00733 Papers 1 & 5.) Patent Owner filed a preliminary response to the petition in IPR2023-00120 on June 28, 2023. (IPR2023-00120 Paper 9.) On September 1, 2023, the Board issued its Decisions on Institution for both IPR2023-00733 and IPR2023-00120 and granted joinder of IPR2023-00733 to IPR2023-00120. (IPR2023-00120 Paper 10; IPR2023-00733 Paper 10.) Since then, all petitioners except Petitioner were terminated from these *inter partes* review proceedings. (IPR2023-00120 Papers 15, 19, 20.) Petitioner now moves to terminate IPR2023-00120 as to Petitioner. Patent Owner has indicated that it does not oppose. (Ex. 1024.)

² The above-captioned IPR2023-00733 was joined with IPR2023-00120. The Board authorized Petitioner to file this Motion to Terminate as to IPR2023-00120 in an e-mail dated January 22, 2024.

Petitioner is moving to terminate this proceeding because Patent Owner's district court action against Petitioner was dismissed with prejudice. (Ex. 1025.) There are no agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.

No other petitioners remain in this *inter partes* review, and no final written decision on the merits has been entered. For at least these reasons, termination of this *inter partes* review is proper under 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72.

Dated: January 26, 2024

Respectfully submitted,

By /Brian C. Nash /

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Counsel for Petitioners

Certificate of Service (37 C.F.R. § 42.6(e)(4))

I hereby certify that the attached UNOPPOSED MOTION TO TERMINATE PROCEEDING PURSUANT TO 35 U.S.C. § 317(A) AND 37 C.F.R. § 42.72 was served as of the below date by email on the Patent Owner (by agreement) to the following counsel of record:

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Dated: January 26, 2024

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