

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BEAR DOWN BRANDS, LLC DBA VERILUX, INC.,
Petitioner

v.

THE LITEBOOK COMPANY LTD.,
Patent Owner

IPR2023-00974
U.S. Patent No. 6,875,225

**JOINT MOTION TO TERMINATE
PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.74**

Pursuant to 37 C.F.R. § 42.71(a) and 42.74, and the Board's August 24, 2023 email, Petitioner Bear Down Brands, LLC dba Verilux, Inc. and Patent Owner The Litebook Company Ltd. jointly request termination of this proceeding IPR2023-00974, directed to Patent No. 6,875,225 ("the '225 patent").

Petitioner and Patent Owner have settled their dispute regarding the '225 patent, including both this proceeding and Patent Owner's assertion of the '225 patent in the related district court litigation, *The Litebook Company Ltd. v. Verilux, Inc.*, Case No. 8:22-cv-01124-CJC-JDE (C.D. Cal.). The parties do not anticipate further litigation between them concerning the '225 patent. There are no related proceedings between the parties currently before the Board.

The settlement agreement has been made in writing, and a true and correct copy, with any payment terms and financial information redacted, shall be filed as Exhibit 1033. The parties certify that, other than Exhibit 1033, the parties have no collateral agreements or understandings in connection with, or in contemplation of, the termination of the *inter partes* review. The parties further request, pursuant to 37 C.F.R. § 42.74(c), that Exhibit 1033 be treated as confidential business information and kept separate from the files of the involved patent. The parties are filing, concurrently herewith, a request to treat the settlement agreement as confidential business information pursuant to 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c).

Good cause exists to terminate this proceeding because the parties have settled their dispute regarding the '225 patent and the proceeding is still at an early stage. Terminating the proceeding now would thus serve the interests of judicial economy as well as the mutual interest of the parties. Therefore, Petitioner and Patent Owner respectfully request termination of the *Inter Partes* Review in Case No. IPR2023-00974.

Respectfully submitted,

Date: August 30, 2023

/Daniel W. Richards/

Daniel W. Richards
Lead Counsel for Petitioner
Registration No. 69,652

/Cabrach J. Connor/

Cabrach J. Connor
Lead Counsel for Patent Owner
Registration No. 53,837

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 August 30, 2023

Manner of service Email: cab@CLandS.com
John@CLandS.com

Documents served Joint Motion to Terminate Pursuant to 35 U.S.C. § 317
and 37 C.F.R. § 42.74

Persons served Cabrach J. Connor
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