

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHARKNINJA, INC., SHARKNINJA OPERATING LLC,
SHARKNINJA MANAGEMENT LLC, AND
SHARKNINJA SALES COMPANY,
Petitioners,

v.

DYSON TECHNOLOGY LIMITED,
Patent Owner.

Case No. IPR2023-01323
U.S. Patent No. 11,589,660

**Petitioners' Motion to Withdraw Petition
Through Dismissal Without Prejudice**

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Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioners filed the above-captioned Petition on August 18, 2023, challenging the patentability of claims 1–20 of U.S. Patent No. 11,589,660 (the '660 patent), issued on February 28, 2023. Pursuant to 35 U.S.C. § 311(c), claims of the '660 patent were not yet eligible for *Inter Partes* review. Petitioners respectfully request withdrawal of the Petition through dismissal of the Petition without prejudice.

The Board has broad discretion to dismiss petitions in order to promote efficiency and minimize unnecessary costs, and a petitioner may withdraw its petition at an early juncture prior to an institution decision. *Unified Patents, LLC v. Motion Offense, LLC*, IPR2020-00705, Paper 14 (PTAB Sep. 23, 2020).

In this proceeding, Patent Owner has not filed its Preliminary Response, nor has the Board issued an institution decision. Dismissal of the Petition at this early juncture would promote efficiency and minimize unnecessary costs. Patent Owner indicated that it does not oppose this Motion.

Petitioners intend to refile the Petition when the claims of the '660 patent become eligible for *Inter Partes* review. The parties do not have a settlement agreement or other agreements made in connection with or in contemplation of the requested withdrawal of the Petition.

Petitioners respectfully request withdrawal of the Petition through dismissal of the Petition without prejudice.

DATED: October 11, 2023

Respectfully Submitted,

/ Brian M. Buroker /

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SharkNinja Operating LLC, SharkNinja
Management LLC, and SharkNinja Sales
Company*

CERTIFICATE OF SERVICE

A copy of the Petitioners' Motion to Dismiss was served via electronic mail on the following counsel of record, as indicated in the Patent Owner's Mandatory Notices dated September 13, 2023, for Patent Owner at the email addresses:

Lead Counsel: Christopher P. Bruenjes (Reg. No. 62,941)

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DATED: October 11, 2023

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