

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GARMIN LTD., ZEPP HEALTH CORPORATION,
SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
ELECTRONICS AMERICA, INC
Petitioner

v.

SLYDE ANALYTICS, LLC,
Patent Owner

IPR2024-00006¹
U.S. Patent No. 8,588,033 B2

**JOINT MOTION TO TERMINATE OF PETITIONER GARMIN LTD.
INTER PARTES REVIEW OF U.S. PATENT 8,588,033
UNDER 37 C.F.R. § 42.72**

¹ 1 GARMIN LTD. filed a petition in IPR2024-00765 and was joined as a petitioner to this proceeding. ZEPP HEALTH CORPORATION filed a petition in IPR2024-00833 and was joined as a petitioner to this proceed

Pursuant to 37 C.F.R. § 42.72, Petitioner Garmin Ltd. and Patent Owner Slyde Analytics, LLC jointly request dismissal and termination of the petition for *Inter Partes* Review of U.S. Patent 8,588,033 in IPR2024-00006 **as to** **Garmin only**.

Petitioner and Patent Owner have entered into a written confidential settlement agreement that fully resolves this matter. The parties are concurrently filing a copy of the settlement agreement as EX1072 along with a request to treat it as confidential business information pursuant to 35 U.S.C. § 317(b). The undersigned represent that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding and that EX1072 represents a true and accurate copy of the agreement between the parties that resolves the present proceeding.

On November 26, 2024, the parties informed the Board of the settlement via e-mail. On January 2, 2025, the parties requested authorization to file a joint motion to terminate the petition with respect to both the Patent Owner and the Petitioner. As set forth in an e-mail dated January 2, 2025, the Board authorized the filing of the requested joint motion to terminate this petition. Accordingly, Petitioner and Patent Owner jointly request termination of the present proceeding.

Public policy favors terminating the present petition for *inter partes* review. Congress and federal courts have expressed a strong interest in encouraging settlement in litigation. *See, e.g., Delta Air Lines, Inc. v. August*, 450 U.S. 346, 352 (1981) (“The purpose of [Fed. R. Civ. P.] 68 is to encourage the settlement of litigation.”); *Bergh v. Dept. of Transp.*, 794 F.2d 1575, 1577 (Fed. Cir. 1986) (“The law favors settlement of cases.”), cert. denied, 479 U.S. 950 (1986). The Federal Circuit places a particularly strong emphasis on settlement. *See Cheyenne River Sioux Tribe v. U.S.*, 806 F.2d 1046, 1050 (Fed. Cir. 1986) (noting that the law favors settlement to reduce antagonism and hostility between parties). And, the Board’s Trial Practice Guide stresses that “[t]here are strong public policy reasons to favor settlement between the parties to a proceeding.” Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 46,768 (Aug. 14, 2012).

Ending Garmin’s role in this petition for IPR early promotes the Congressional goal of establishing a more efficient patent system by limiting unnecessary and counterproductive costs. *See Changes to Implement Inter Partes Review Proceedings, Post-Grant Review Proceedings, and Transitional Program for Covered Business Method Patents*, 77 Fed. Reg. 48,680 (Aug. 14, 2012). Permitting termination of Garmin also provides certainty and fosters an environment that promotes settlements, creating a timely, cost-effective alternative to litigation.

Petitioner filed its petition for *inter partes* review and Motion for Joinder on April 22, 2024. The Board issued an Institution Decision and Granting of the Motion for Joinder instituting this proceeding on August 23, 2024. As noted in Order Conduct of the Proceeding Paper 32, Zepp has taken over role of Lead Petitioner and Garmin is merely serving in an understudy role. Garmin and Slyde have now settled their dispute and have reached agreement to terminate this proceeding leaving Zepp to proceed as the lead petitioner for the remaining deadlines in this matter. Because the lawsuits between Slyde and Garmin have been dismissed, and Slyde and Garmin do not contemplate any litigation or proceeding involving the Patent-in-Suit in the foreseeable future, the Parties respectfully request termination of this *Inter Partes* Review of U.S. Patent 8,588,033 (IPR2024-00006).

Dated: January 2, 2025

Respectfully submitted,

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*ATTORNEYS FOR PETITIONER
GARMIN LTD.*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that a true copy of the *Joint Motion To Terminate Of Petitioner Garmin Ltd. Inter Partes Review Of U.S. Patent 8,588,033 Under 37 C.F.R. § 42.72* was served via electronic mail on January 2, 2025, in its entirety on the following lead and back-up counsel for Patent Owner, Petitioner (Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.), and Petitioner (Zepp Health Corporation) with Exhibit 1072 being served solely on Patent Owner:

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