Filed on behalf of: Netgear, Inc.

Entered: April 22, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TP-LINK CORPORATION LIMITED,
Petitioner,

v.

NETGEAR, INC.,
Patent Owner.

Case IPR2024-00125
Patent 10,356,681 B1

JOINT MOTION TO TERMINATE PROCEEDING PURSUANT TO 35 U.S.C. § 317(a) AND 37 C.F.R. § 42.74

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, Patent Owner Netgear, Inc. and Petitioner TP-Link Corporation Limited (collectively, the "Parties") jointly request termination of the inter partes review of U.S. Patent No. 10,356,681 ("the '681 patent"), Case No. IPR2024-00125. The Board authorized the Parties to file this motion in an email dated April 11, 2024.

On April 3, 2024, the Parties executed a Confidential Settlement Agreement to resolve all present disputes and to avoid any additional disputes regarding the '681 patent. Accordingly, termination is appropriate because all disputes between the parties regarding the '681 patent have been resolved.

Pursuant to 37 C.F.R. §§ 42.5 and 42.72, the Board may terminate a trial without rendering a final written decision where appropriate, including pursuant to a joint request under 35 U.S.C. §§ 317(a) or 327(a). *See Winplus N. Am., Inc. v. Pilot, Inc.*, IPR2018-00488, Paper 12 (Oct. 24, 2018). Further, a dismissal of this IPR would promote efficiency and minimize unnecessary costs.

This proceeding is still in its preliminary stages. The Board has not yet decided the merits of the proceeding, and no Institution Decision has been entered. 35 U.S.C. § 317(a); 77 Fed. Reg. 48768 ("The Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding."). No other party's rights will be prejudiced

by the termination of this IPR. The Parties have settled their dispute regarding the ’681 patent and respectfully submit that a dismissal is proper here.

The Parties to the underlying litigations (*Netgear, Inc. v. TP-Link Technologies Co., Ltd.*, Case 2:23-cv-02540 (C.D. Cal.) and *Certain Wi-Fi Routers, Wi-Fi Devices, Mesh Wi-Fi Network Devices, and Hardware and Software Components Thereof*, Inv. No. 337-TA-1361 (International Trade Commission)) have agreed to separately request dismissal with respect to the ’681 patent.

The Confidential Settlement Agreement is submitted concurrently herewith. In accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), also submitted concurrently herewith is a Joint Request that the Confidential Settlement Agreement be treated as business confidential information, be kept separate from the file of the involved patent, and be made available only to the Federal Government agencies on written request, or to any person on showing of good cause under 35 U.S.C. § 317 and 37 C.F.R. § 42.74(c). A true and correct copy of the Confidential Settlement Agreement is submitted with that Request as Confidential Exhibit 2002.

The Parties certify that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding. Both Parties support termination of the proceeding.

CONCLUSION

For the foregoing reasons, the Parties jointly request that the Board dismiss this proceeding in its entirety.

Respectfully submitted,

Dated: April 22, 2024

By: / Inge A. Osman /

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 22nd day of April, 2024, a true and correct copy of the foregoing **Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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