UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATAVANT, INC.,
Petitioner,

v.

VIGILYTICS LLC,
Patent Owner.

Case IPR2024-00226
Patent 9,118,641 B2

JOINT MOTION TO TERMINATE

UPDATED EXHIBIT LIST

Exhibit No.	Description
2001	Expert Declaration of Aviel D. Rubin, Ph.D.
2002	Transcript of Deposition of Paul C. Clark, September 26, 2024
2003	Summary of HIPAA Privacy Rules (https://www.hhs.gov/sites/default/files/privacysummary.pdf)
2004	Summary of the HIPAA Security Rule (https://www.hhs.gov/hipaa/for-professionals/security/laws-regulations/index.html)
2005	HIPAA History (https://www.hipaajournal.com/hipaa-history/)
2006	45 C.F.R. §164.514 (Other requirements relating to uses and disclosures of protected health information)
2007	45 C.F.R. §75.2 (Definitions)
2008	Transcript of Deposition of Paul C. Clark, January 16, 2025
2009	Patent Owner's Demonstratives
2010	[RESERVED]
2011	CONFIDENTIAL Settlement Agreement

The Parties in this case have reached a settlement that addresses this proceeding. The Parties therefore contacted the Board on April 1, 2025, to inform the Board of the settlement and request instructions regarding termination of this proceeding. In accordance with the Board's instructions received on April 2, 2025, the Parties hereby jointly submit this motion to terminate. The Parties respectfully request that the Board terminate this proceeding with respect to Petitioner and in total under 35 U.S.C. § 317(a).

Pursuant to 35 U.S.C. § 317(b), 37 C.F.R. § 42.74, and the Board's e-mail, the Parties have concurrently filed the Settlement Agreement as Exhibit 2011. The Parties state 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. The Parties have concurrently filed a joint request to treat the Settlement Agreement as confidential business information pursuant to 37 C.F.R. § 42.74(c), consistent with the provisions of the Agreement.

Respectfully submitted,

Dated 4/3/25

/Justin J. Oliver/

Justin Oliver (Reg. No. 44,986)
JOliver@Venable.com
VENABLE LLP
600 Massachusetts Avenue, NW
Washington, D.C. 20001
T: 202-721-5423
F: 202-344-8300

Nicholas Marcello (Reg. No. 77,182)
NDMarcello@venable.com
VENABLE LLP
151 W. 42nd Street, 49th Floor
New York, NY 10036
T: 212-218-2365
F: 212-218-2200

Counsel for Petitioner

Dated 04/04/2025

/Nicholas W. Stephens/

W. Karl Renner, Reg. No. 41,265
Jeffrey Barclay, Reg. No. 48,950
Nicholas Stephens, Reg. No. 74,320
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
T: 202-783-5070
F: 877-769-7945

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on April 4, 2025, a complete and entire copy of this Joint Motion to Terminate and Exhibit 2011 were provided by email to Petitioner by serving the correspondence email address of record as follows:

Justin Oliver
Nicholas Marcello
Michael Sandonato
VENABLE LLP
151 W. 42nd Street, 49th Floor
New York, NY 10036

E-mail: Datavant-IPRs@Venable.com

/Diana Bradley/

Diana Bradley
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
bradley@fr.com