UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NESPRESSO USA, INC.,
Petitioner,

v.

K-FEE SYSTEM GMBH,
Patent Owner

Case: IPR2024-00254

U.S. Patent No. 11,465,829

JOINT NOTICE OF SUBMISSION OF AGREEMENT IN SUPPORT OF JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW OF U.S. PATENT NO. 11,465,829 UNDER 37 C.F.R. § 42.72

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

Petitioner and Patent Owner hereby submit the confidential Settlement Agreement as defined by the confidential binding term sheet, filed in this action as Ex. 1084.

Concurrently, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), the parties are filing a Joint Motion to Keep Confidential and Separate (Motion to Keep Confidential) the confidential Settlement Agreement.

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.

The undersigned further represent that Ex. 1085 is a true and accurate copy of the confidential Settlement Agreement between the parties resolving the present proceeding.

On May 19, 2025, the parties informed the Board of the settlement via e-mail and requested authorization to the file the Joint Motion and Motion to Keep Confidential. In an email dated May 20, 2025, the Board authorized the filing of this Joint Motion to Terminate and the Motion to Keep Confidential and on June 10, 2025, the Board requested that we file the final fully executed Settlement Agreement.

Per 35 U.S.C. § 317(a), "An *inter partes* review instituted under this chapter

shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed." Likewise, 37 C.F.R. § 42.74 states, "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)". "There are strong public policy reasons to favor settlement between the parties to a proceeding… 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." Patent Trial and Appeal Board Consolidate Trial Practice Guide, November 2019, page 86.

The Board has not rendered a final decision deciding the merits of this proceeding.

There are no other pending USPTO proceedings regarding the U.S. Patent No. 11,465,829.

In view of the foregoing, Petitioner and Patent Owner respectfully submit the Settlement Agreement and request termination of the *Inter Partes* Review of U.S. Patent No. 11,465,829 with prejudice.

Dated: June 11, 2025

Respectfully submitted,

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