

From: [Trials](#)
To: [Joseph T. Miotke](#); [Trials](#)
Cc: [BEutermoser@KSLAW.com](#); [Mikaela Stone \(mikaela.stone@kslaw.com\)](#); [Eric H. Chadwick](#); [Erin Block](#); [Rachel E. Gagliardi](#)
Subject: RE: IPR2024-00297
Date: Tuesday, April 9, 2024 12:11:09 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Counsel,

From the Board –

The parties are authorized to file a joint motion to terminate the proceeding. The motion to terminate should explain why termination is appropriate and provide the status of any related district court cases or USPTO proceedings with respect to all parties. The parties should be mindful of the requirements set forth in 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74, that any agreement, including any collateral agreement, between the parties made in connection with the termination of the proceeding must be in writing and a fully executed copy must be filed with the Board as an exhibit to the motion to terminate. The parties also are authorized to file a request to treat the settlement agreement as business confidential information and to file the settlement agreement as “Parties and Board Only.” Please refer to the procedures set forth in 37 C.F.R. § 42.74(c).

If the parties have questions about the procedure or substance of the motion to terminate, the parties may contact the Board to schedule a conference call.

Regards,

Esther Goldschlager
Supervisory Paralegal Specialist
Patent Trial & Appeal Board
U.S. Patent & Trademark Office

From: Joseph T. Miotke <jtm@dewittllp.com>
Sent: Friday, April 5, 2024 12:19 PM
To: Trials <Trials@USPTO.GOV>
Cc: BEutermoser@KSLAW.com; Mikaela Stone (mikaela.stone@kslaw.com) <mikaela.stone@kslaw.com>; Eric H. Chadwick <ehc@dewittllp.com>; Erin Block <eblock@dewittllp.com>; Rachel E. Gagliardi <reg@dewittllp.com>
Subject: IPR2024-00297

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To the Honorable Board:

IPR2024-00297
Ex. 3001

Petitioner AO Kaspersky Lab and Patent Owner Open Text Inc. respectfully request permission from the Board to file a Joint Motion to Terminate IPR2024-00297.

The parties have entered into agreements that resolve the entire dispute between the parties. The parties also seek permission to file a “Joint Request to File the Agreements as Business Confidential Information Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74.”

If the Board needs further information, please let us know.

Sincerely,

Joe Miotke

Joseph T. Miotke

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