

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HEWLETT PACKARD ENTERPRISE COMPANY and CISCO
SYSTEMS, INC.,
Petitioners, v.

COBBLESTONE WIRELESS LLC,
Patent Owner.

Case IPR2024-00707
Patent 7,924,802

**JOINT MOTION TO TERMINATE PROCEEDING PURSUANT
TO 35 U.S.C. § 317 AND 37 C.F.R § 42.72**

PETITIONER'S EXHIBIT LIST

<i>Exhibit #</i>	<i>Description</i>
1001	U.S. Patent No. 7,924,802 (“’802 Patent”)
1002	File History for U.S. Patent No. 7,924,802
1003	Expert Declaration of Dr. Kevin Negus
1004	IEEE 802.11n Draft 2.0 (“IEEE 802.11n D2.0”)
1005	IEEE Std. 802.11-2007 (“IEEE 802.11-2007”)
1006	<i>Next Generation Wireless LANs</i> , by E. Perahia and R. Stacey, ISBN: 978-0-521-88584-3, Cambridge University Press (“Perahia”)
1007	U.S. Patent Pub. No. 2006/0018249 by D. Shearer and M. Webster, entitled “Packet generation systems and methods” (“Shearer”)
1008	IEEE 802.11n: Throughput, Robustness, and Reliability Enhancements to WLANs, by E. Perahia and R. Stacey, Presentation at Globecom 2006 (“Perahia Globecom Presentation”)
1009	IEEE Std. 802.11-1999 (“IEEE 802.11-1999”)
1010	Docket Control Order in No. 2:23-cv-00454 (E.D. Tex.)
1011	Cobblestone Preliminary Infringement Contentions to Cisco Systems, Inc. in No. 2:23-cv-00454 (E.D. Tex.)
1012	Cobblestone Preliminary Infringement Contentions to Hewlett Packard Enterprise Company in No. 2:23-cv-00454 (E.D. Tex.)
1013	Declaration of Eldad Perahia, Ph.D.
1014	Expert Declaration of Dr. Ingrid Hsieh-Yee
1015	Declaration of Matthew Yungwirth in Support of PHV
1016	Settlement and License Agreement-Confidential HPE
1017	Settlement and License Agreement- Confidential Cisco

STATEMENT OF PRECISE RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.72, and the Board's authorization provided on May 21, 2025, Petitioners Hewlett Packard Enterprise Company and Cisco Systems ("Petitioners") and Patent Owner Cobblestone Wireless LLC ("Patent Owner") (collectively, the "Parties") hereby provide notice that they have reached settlement agreements and jointly request termination of *inter partes* review of U.S. Patent No. 7,924,802 ("the '802 Patent"), Case No. IPR2024-00707, with the United States Patent and Trademark Office.

I. Termination Is Appropriate

The basis for this Joint Motion is the settlement of all disputes between the parties relating to the '802 Patent. Pursuant to that settlement, the Parties have also entered into a mutual release. An *inter partes* review shall be terminated with respect to any petitioner upon the joint request of the petitioners and the patent owner, unless the Office has decided the merits of the proceedings before the request for termination is filed. 35 U.S.C. § 317(a). No other petitioners remain in this *inter partes* review, and no Final Written Decision on the merits has been entered. For at least these reasons, termination of the *inter partes* review is proper under 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74(a).

II. Legal Standard

35 U.S.C. § 317(a) provides that "[a]n *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.” 37 C.F.R. § 42.72 similarly provides that “[t]he Board may terminate a trial without rendering a final written decision, where appropriate . . . pursuant to a joint request under 35 U.S.C. § 317(a).” The Trial Practice Guide also observes that “[t]here are strong public policy reasons to favor settlement between the parties to a proceeding” and that 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.” 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012).

III. Agreement in Writing Submitted to the Board

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), true copy of the Parties’ settlement agreements are being submitted as Exhibit 1016 and Exhibit 1017 under seal for viewing by the Parties and the Board only. The settlement agreements are in writing and constitute the Parties’ entire understanding and agreement. There are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), in a separate paper filed concurrently herewith, the Parties jointly request that the settlement agreements be treated as business confidential information and be kept separate from the underlying patent file.

IV. Conclusion

Termination of the proceeding is a just and fair resolution. The Parties agree

that neither Hewlett Packard Enterprise Company nor Cisco Systems will be prejudiced by the termination of the IPR. Finally, the Parties will benefit from preserving resources that would otherwise be expended if this motion is denied. For at least the foregoing reasons, the Parties respectfully request that the Board terminate *Inter Partes* Review IPR2024-00707.

Respectfully submitted,

Dated: May 22, 2025

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CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2025, a copy of Petitioners' Joint Motion to Terminate Proceedings was served by filing this document through the PTAC's System as well as delivering a copy via electronic mail upon the following:

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