UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner,

v.

OPTIMUM IMAGING TECHNOLOGIES, LLC,
Patent Owner.

Case No. IPR2024-00925
Patent No. 8,451,339

JOINT MOTION TO TERMINATE PROCEEDING

PATENT OWNER'S LIST OF EXHIBITS	
EX. 2001	RESERVED
EX. 2002	Global Dossier Patent Family for U.S. Pub. No. 20050280877 (Watanabe), accessed at https://globaldossier.uspto.gov/result/publication/US/20050280877/118382 on August 9, 2024
EX. 2003	Extract from the Register of European Patents for EP1608140 (Watanabe foreign counterpart), accessed at https://register.epo.org/application?number=EP05253548&lng=en&tab=doclist on August 13, 2024
EX. 2004	Translation of Japanese Patent Application No. 2004-233872, submitted during prosecution of EP1608140 on June 1, 2006 ("EPO Translation")
EX. 2005	Written submission in preparation to/during oral proceedings, submitted during prosecution of EP1608140 on April 5, 2011
EX. 2006	RESERVED
EX. 2007	RESERVED
EX. 2008	RESERVED
EX. 2009	RESERVED
EX. 2010	RESERVED
EX. 2011	U.S. Patent No. 7,612,805 ("the '805 Patent")
EX. 2012	RESERVED
EX. 2013	RESERVED
EX. 2014	RESERVED

EX. 2015	Email from Petitioner's counsel to Patent Owner's counsel, dated September 4, 2024
EX. 2016	Laub Expert Declaration on U.S. Patent No. 10,873,685, originally submitted in IPR2024-00923 as EX. 1003
EX. 2017	Laub Expert Declaration on U.S. Patent No. 7,612,805, originally submitted in IPR2024-00924 as EX. 1003
EX. 2018	RESERVED
EX. 2019	U.S. Patent No. 8,849,964 ("Ralston"), originally submitted in IPR2024-00924 as EX. 1081
EX. 2020	Laub Deposition Transcript regarding IPR2024-00923, IPR2024-00924, and IPR2024-00925, dated February 5, 2025
EX. 2021	Printout of Website titled "Digital Photo Professional" accessed at https://en.canon-cna.com/support/consumer_products/software/digital-photo-professional.html?softwareid=tcm:257-1328049&os=all on February 24, 2025
EX. 2022	Printout of Website titled "Canon EOS Rebel T6s First Impressions Review" accessed at https://www.reviewed.com/cameras/content/canon-eos-rebel-t6s-first-impressions-review on February 24, 2025
EX. 2023	Printout of Website titled "Canon T6s Review" accessed at https://www.imaging-resource.com/PRODS/canon-t6s/canon-t6sA.HTM on February 24, 2025
EX. 2024	Printout of Website titled "Canon EOS Rebel T6s Review" accessed at https://www.pcmag.com/reviews/canon-eos-rebel-t6s on February 24, 2025
EX. 2025	Printout of Website titled "Canon T6s (EOS 760D)" accessed at https://www.kenrockwell.com/canon/t6s.htm on February 24, 2025

EX. 2026	Printout of Website titled "EOS Rebel T6s" subtitled "Overview" accessed at https://www.cla.canon.com/cla/en/support/consumer/cameras/eos_cameras/eos_rebel_t6s# on February 24, 2025
EX. 2027	Printout of Website titled "EOS Rebel T6s" subtitled "Specifications" accessed at https://www.cla.canon.com/cla/en/support/consumer/cameras/eos_cameras/eos_rebel_t6s#specificationsTab on February 24, 2025
EX. 2028	Canon EOS Rebel T6s Instruction Manual accessed at https://gdlp01.c-wss.com/gds/4/0300018244/04/eos-rebelt6s-760d-im4-en.pdf on February 24, 2025
EX. 2029	Printout of Website titled "Canon DIGIC 6 Processor and New 18Mp APS-C CMOS Sensor Arrives" accessed at https://thenewcamera.com/canon-digic-6-processor-and-new-18mp-aps-c-cmos-sensor-arrives/ on February 24, 2025
EX. 2030	Printout of Website titled "Canon EOS 80D Review" accessed at https://photographic-central.blogspot.com/2017/10/canon-eos-80d-review.html#google_vignette on February 24, 2025
EX. 2031	Printout of Website titled "More About the EOS 80D (Part 2) – Technology" accessed at https://snapshot.canon-asia.com/article/eng/more-about-the-eos-80d-part-2-technology on February 24, 2025
EX. 2032	Printout of Website titled "First Impressions Review: Using the Canon PowerShot G16" accessed at https://www.dpreview.com/reviews/first-impressions-review-using-the-canon-powershot-g16#:~:text=The%20DIGIC%206%20processor%20delivers,to%20a%20lot%20of%20people on February 24, 2025
EX. 2033	Printout of Website titled "EOS Rebel T6s" subtitled "Features" accessed at https://www.cla.canon.com/cla/en/support/consumer/cameras/eos_cameras/eos_rebel_t6s#featuresTab on February 24, 2025

EX. 2034	Printout of Website titled "Technology Used in Digital SLR Cameras" accessed at https://global.canon/en/technology/support14.html#:~:text=When%20light%20enters%20the%20camera,data%20based%20on%20the%20signal on February 24, 2025
EX. 2035	Printout of Website titled "5 Things Made Possible with DIGIC Image Processor" accessed at https://snapshot.canon-asia.com/article/eng/5-things-made-possible-with-digic-image-processor on February 24, 2025
EX. 2036	Printout of Website titled "Settings Configured in [Camera Settings]" accessed at https://cam.start.canon/en/S003/manual/html/UG-02_CameraSetting_0020.html on February 24, 2025
EX. 2037	Printout of Website titled "2019 camera market share: Canon 45.4%, Sony 20.2%, Nikon 18.6%, Fuji 4.7%, Panasonic 4.7%" accessed at https://nikonrumors.com/2020/08/14/2019-camera-market-share-canon-45-4-sony-20-2-nikon-18-6-fuji-4-7-panasonic-4-7.aspx/ on February 24, 2025
EX. 2038	Printout of Website titled "Digital Camera Market Share 2020: Only Canon, Sony and Fujifilm Grow" accessed at https://www.fujirumors.com/digital-camera-market-share-2020-only-canon-sony-and-fujifilm-grow/ on February 24, 2025
EX. 2039	Printout of Website titled "The latest digital camera global market share (2021)" accessed at https://nikonrumors.com/2022/11/22/the-latest-digital-camera-global-market-share-2021.aspx/ on February 24, 2025
EX. 2040	Printout of Website titled "Digital Camera Market Share 2022: Canon Dominates Ahead of Sony and Nikon, Fujifilm 4th" accessed at https://www.fujirumors.com/digital-camera-market-share-2022-canon-dominates-ahead-of-sony-and-nikon-fujifilm-4th/ on February 24, 2025
EX. 2041	Printout of Website titled "How Canon and Sony Market Shares Display a Troubling Trend" accessed at

	https://www.thephoblographer.com/2024/09/23/canon-and-sony-market-shares-display-a-troubling-trend/ on February 24, 2025
EX. 2042	Printout of Website titled "Trendspotting: Canon, followed by the rest (digital camera market share 2024)" accessed at https://www.starkinsider.com/2024/09/trendspotting-canon-followed-by-the-rest-digital-camera-market-share-2024.html on February 24, 2025
EX. 2043	Canon Litigation Document – HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS' EYES ONLY
EX. 2044	Declaration of Dr. Omid Kia – HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS' EYES ONLY
EX. 2045	CV of Dr. Omid Kia
EX. 2046	Joint Protective Order
EX. 2047	Redlined version of the Joint Protective Order (compared to Default Protective Order)
EX. 2048	Executed Acknowledgements
EX. 2049	Modified Scheduling Order, *Optimum Imaging Technologies LLC v. Sony Corp.,* No. 4:23-cv-00928-ALM, Dkt. 52 (E.D. Tex. Oct. 11, 2024)
EX. 2050	Order granting Joint Motion to Modify Scheduling Order, *Optimum Imaging Technologies LLC v. Sony Corp.,* No. 4:23-cv-00928-ALM, Dkt. 67 (E.D. Tex. Feb. 14, 2025)
EX. 2051	Mediator's Report, *Optimum Imaging Technologies LLC v. Olympus Corporation, et al.,* No. 4:23-cv-00924-ALM, Dkt. 71 (E.D. Tex. March 10, 2025)
EX. 2052	Docket Report, *Optimum Imaging Technologies LLC v. Sony Corp.,* No. 4:23-cv-00928-ALM, accessed March 14, 2025

EX. 2053	Joint Notice of Settlement, *Optimum Imaging Technologies LLC v. Sony Corp.,* No. 4:23-cv-00928-ALM, Dkt. 96 (E.D. Tex. April 14, 2025)
EX. 2054	Settlement Agreement (Parties and Board Only)
EX. 2055	Collateral Agreement (Board Only)

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 June 3, 2025, Petitioner Sony Corp. ("Sony" or "Petitioner") and Patent Owner Optimum Imaging Technologies, LLC ("OIT" or "Patent Owner") (collectively, the "Parties") hereby provide notice that they have reached a settlement agreement and jointly request termination of the *inter partes* review of U.S. Patent No. 8,451,339 ("the '339 Patent"), Case No. IPR2024-00925, 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 '339 Patent. In 2023, Patent Owner filed suit in district court against Petitioner asserting patent infringement based on *inter alia* the '339 Patent. *Optimum Imaging Technologies LLC v. Sony Corp.*, Case No. 4:23-cv-00928 (E.D. Tex.) (filed October 18, 2023).

On May 26, 2025, the Parties entered into a Settlement Agreement. The Settlement Agreement requires Parties to seek termination of this proceeding, IPR2024-00925.

An *inter partes* review 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 proceedings before the request for termination is filed. 37

U.S.C. § 317(a). Further, "no estoppel under section 315(e) shall attach to the petitioner, or to the real party in interest or privy of the petitioner." *See id.* 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), a true copy of the Parties' Settlement Agreement is being submitted as Exhibit 2054 and a true copy

of the Collateral Agreement is being submitted as Exhibit 2055. The agreements are in writing and constitute the Parties' entire understanding and agreement. The Parties certify that there are no other collateral agreements or understandings made in connection with, or in contemplation of, the termination of this *inter partes* review. 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 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 Sony nor OIT will be prejudiced by the termination of this proceeding. 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 IPR2024-00925.

Respectfully submitted,

Date: June 3, 2025

By: */s/ Scott A. McKeown (with permission)*

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on the undersigned date, copies of the foregoing document and EX. 2054 are being served via electronic mail, as previously consented to by Petitioner, upon the following:

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Date: June 3, 2025

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