UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,

Petitioner

v.

CROGA INNOVATIONS LTD.,

Patent Owner

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IPR2024-01282
U.S. Patent No. 7,738,368

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JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.71(a), Petitioner Cisco Systems, Inc. ("Cisco") and Patent Owner Croga Innovations Ltd. ("Croga") (collectively, the "Parties") jointly request termination of this *inter partes* review of U.S. Patent 7,738,368. The Board has discretion to "grant, deny, or dismiss any petition or motion." 37 C.F.R. § 42.71(a). The Parties respectfully request that the Board grant this Motion because the Parties' dispute with respect to the '368 Patent has been resolved.

Croga asserted the '368 patent against Cisco in *Croga Innovations Ltd. v. Cisco Systems, Inc.,* No. 2:24-cv-00065 (E.D. Tex.) ("the co-pending litigation"). Complaint, Ex.1029. The Parties filed a Joint Motion Regarding Stipulation of Dismissal of Certain Asserted Patent by Croga Innovations Ltd. And Cisco Systems, Inc. (Ex.1128) in the co-pending litigation to dismiss the '368 patent with prejudice from the co-pending litigation in response to a confidential agreement between the parties. The district court has issued an Order (Ex.1129) accepting and entering the Parties' stipulation to the dismissal of the '368 patent with prejudice from the co-pending litigation. Therefore, the parties' dispute with respect to the '368 patent is fully resolved.

The Parties are concurrently filing a copy of the underlying Stipulation regarding the dismissal of the '368 patent from the litigation and termination of this

proceeding. *See* Ex.1130. The undersigned certify that there are no other collateral agreements or understandings, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding, and that Ex.1130 represents a true and accurate copy of the agreement between the parties that resolves the present proceeding. Ex.1130, ¶6.

On April 16, 2025, the Parties informed the Board of their agreement via email and requested authorization to file a joint motion to terminate the *inter partes* review with respect to both parties. As set forth in an email dated April 21, 2025, the Board authorized the filing of the requested joint motion to terminate this proceeding as to both parties. Accordingly, the Parties jointly request termination of the present proceeding.

Public policy favors terminating the present *inter partes* review proceeding. Congress and federal courts have expressed a strong interest in encouraging settlement in litigation. *See, e.g.*, *Delta Air Lines, Inc. v. August*, 450 U.S. 346, 352 (1981) ("The purpose of [Fed. R. Civ. P.] 68 is to encourage the settlement of litigation."); *Bergh v. Dept. of Transp.*, 794 F.2d 1575, 1577 (Fed. Cir. 1986) ("The law favors settlement of cases."), *cert. denied*, 479 U.S. 950 (1986). The Federal Circuit places a particularly strong emphasis on settlement. *See Cheyenne River Sioux Tribe v. U.S.*, 806 F.2d 1046, 1050 (Fed. Cir. 1986) (noting that the law favors settlement to reduce antagonism and hostility between parties). Further, the Board's

Trial Practice Guide indicates that "[t]here are strong public policy reasons to favor settlement between the parties to a proceeding." Consolidated Trial Practice Guide, at 86 (Nov. 2019).

Terminating this *inter partes* review promotes the congressional goal of establishing a more efficient patent system by limiting unnecessary and counterproductive costs. *See* Changes to Implement Inter Partes Review Proceedings, Post-Grant Review Proceedings, and Transitional Program for Covered Business Method Patents, 77 Fed. Reg. 48,680 (Aug. 14, 2012). Permitting termination as to all parties provides certainty and fosters an environment that promotes settlements, creating a timely, cost-effective alternative to litigation.

Additionally, termination of this IPR is appropriate as the Board has not yet "decided the merits of the proceeding." Consolidated Trial Practice Guide, at 86. Cisco filed its petition for *inter partes* review on August 13, 2024. Croga filed its patent owner preliminary response on November 21, 2024, and the Board issued an institution decision granting institution of the *Inter Partes* Review on February 13, 2025. The parties have not submitted any further briefs in response to the petition. The parties have now settled their dispute and have reached agreement to terminate this *inter partes* review. The Board can conserve its resources through terminating the proceedings now, removing the need for the Board to render a final written decision. Furthermore, no other party's rights will be prejudiced by the termination

of this proceeding. The ’368 patent is not involved in any other litigation in U.S. federal district courts, the International Trade Commission, or the U.S. Patent and Trademark Office.

Therefore, the Parties respectfully request termination of this *inter partes* review.

Respectfully submitted on behalf of both parties,

Date: April 22, 2025

/Theodore M. Foster/
Theodore M. Foster
Counsel for Petitioner
Registration No. 57,456

PETITIONER'S UPDATED EXHIBIT LIST

April 22, 2025

Ex.1001	U.S. Patent No. 7,738,368
Ex.1002	Prosecution History of U.S. Patent No. 7,738,368.
Ex.1003	Declaration of Dr. Henry Houh under 37 C.F.R. § 1.68.
Ex.1004	*Curriculum Vitae* of Dr. Henry Houh.
Ex.1005	U.S. Patent No. 7,643,414 ("Minhazuddin").
Ex.1006	U.S. Patent Pub. No. 2004/0073690 ("Hepworth").
Ex.1007	U.S. Patent No. 7,023,839 ("Shaffer").
Ex.1008	U.S. Patent Pub. No. 2004/0032860 ("Mundra").
Ex.1009	U.S. Patent No. 7,830,813 ("Lo").
Ex.1010	Metro Ethernet Networks - A Technical Overview.
Ex.1011	Introduction to Cisco Network Design.
Ex.1012	Network Systems in CIM Environment.
Ex.1013	Avaya IP Office-Job Aid; Connecting an IP600 and IP Office via H323 IP Trunk.
Ex.1014	Avaya IP Office - Small Office Edition 2003.
Ex.1015	Merrill Lynch Selects Avaya IP Telephony Systems.
Ex.1016	Avaya IP Softphone Release 4 Ver. 1.
Ex.1017	Avaya Phone Manager 2.1.
Ex.1018	Avaya Definity® 4624 IP Telephone.
Ex.1019	Timothy V. Kelly, VOIP FOR DUMMIES (Wiley Publishing, Inc. 2005).
Ex.1020	U.S. Patent No. 7,657,021.
Ex.1021	Real-Time Transport Control Protocol (RTCP), Definition from TechTarget.
Ex.1022	Combining Voice over IP with Policy-Based Quality of Service, Extreme Networks TechBrief.
Ex.1023	Access Networks and Physical Media,
Ex.1024	Jari Turunen, et al., "Assessment of objective voice quality over best-effort networks," 28 Computer Communications 582-588 (Elsevier 2005).
Ex.1025	U.S. Patent No. 7,764,679 ("MeLampy")

Ex.1026	M. Arango, et al., "Media Gateway Control Protocol (MGCP) Version 1.0," IETF Request for Comments 2705 (October 1999).
Ex.1027	F. Andreasen, et al., "Media Gateway Control Protocol (MGCP) Version 1.0," IETF Request for Comments 3435 (January 2003).
Ex.1028	B. Foster, et al., "Basic Media Gateway Control Protocol (MGCP) Packages," IETF Request for Comments 3660 (December 2003).
Ex.1029	Complaint - *Croga Innovations Ltd. v. Cisco Systems, Inc.* EDTX-2-24-cv-00065.
Ex.1030	Amended Docket Control Order - *Croga Innovations Ltd. v. Cisco Systems, Inc.*, No. 2-24-cv-00065, Dkt. 42 (E.D. Tex. July 18, 2024).
Ex.1031	Federal Court Trial Statistics – June 30, 2024.
Ex.1032	List of patent trials scheduled before Judge Gilstrap (E.D. Tex.) on October 20, 2025.
Ex.1033	U.S. Patent Pub. No. US2005/0276272 ("Arai")
Ex.1034	U.S. Patent Pub. No. US2005/0232309 ("Kavaler")
Ex.1035	U.S. Patent Pub. No. US2005/0190746 ("Xiong")
Ex.1036	U.S. Patent Pub. No. US2006/0291643 ("Pfaff")
Ex.1037	U.S. Patent Pub. No. US2006/0221912 ("Olivier")
Ex.1038	U.S. Patent No. 7,881,712 ("Luo")
Ex.1039	U.S. Patent No. 7,715,359 ("Lin")
Ex.1040	U.S. Patent Pub. No. US2005/0053098 ("Rabenko")
Ex.1041	U.S. Patent Pub. No. US2004/0083128 ("Buckingham")
Ex.1042	U.S. Patent Pub. No. US2003/0093563 ("Young")
Ex.1043	U.S. Patent Pub. No. US2006/0037072 ("Rao")
Ex.1044	U.S. Patent Pub. No. US2004/0114581 ("Hans")
Ex.1045	U.S. Patent No. 6,480,122 ("Oddy")
Ex.1046	U.S. Patent No. 6,898,188 ("Hamami")
Ex.1047	U.S. Patent No. 6,904,038 ("Moon")
Ex.1048	U.S. Patent No. 6,442,032 ("Linares")
Ex.1049	U.S. Patent Pub. No. US2006/0233158 ("Croak")
Ex.1050	U.S. Patent Pub. No. US2005/0053055 ("Horvath")
Ex.1051	U.S. Patent Pub. No. US2005/0195949 ("Frattura")
Ex.1052	U.S. Patent Pub. No. US2005/0207432 ("Velez-Rivera")
Ex.1053	U.S. Patent Pub. No. US2005/0174993 ("Gass")

Ex.1054	U.S. Patent Pub. No. US2004/0240432 ("Ying")
Ex.1055	U.S. Patent Pub. No. US2004/0233898 ("Otsuka")
Ex.1056	U.S. Patent Pub. No. US2002/0191557 ("Chow")
Ex.1057	U.S. Patent Pub. No. US2003/0128670 ("Pinier")
Ex.1058	U.S. Patent Pub. No. US2005/0015460 ("Gole")
Ex.1059	U.S. Patent No. 6,757,363 ("Platt")
Ex.1060	U.S. Patent Pub. No. US2002/0064178 ("Christie")
Ex.1061	U.S. Patent No. 7,024,475 ("Abaye")
Ex.1062	U.S. Patent Pub. No. US2006/0056630 ("Zimmer")
Ex.1063	U.S. Patent Pub. No. US2005/0015430 ("Rothman")
Ex.1064	U.S. Patent No. 7,701,924 ("Bell")
Ex.1065	U.S. Patent Pub. No. US20040073597 ("Caveney")
Ex.1066	U.S. Patent Pub. No. US2004/0164619 ("Parker")
Ex.1067	U.S. Patent Pub. No. US2005/0262364 ("Diab")
Ex.1068	U.S. Patent Pub. No. US2005/0078700 ("Thompson")
Ex.1069	U.S. Patent Pub. No. US2006/0215680 ("Camagna")
Ex.1070	U.S. Patent Pub. No. US2005/0282432 ("Murr")
Ex.1071	U.S. Patent Pub. No. US2005/0257262 ("Matityahu")
Ex.1072	U.S. Patent Pub. No. US2006/0198360 ("Biage")
Ex.1073	U.S. Patent Pub. No. US2003/0086425 ("Bearden")
Ex.1074	U.S. Patent Pub. No. US2003/0093513 ("Hicks")
Ex.1075	U.S. Patent Pub. No. US2002/0094081 ("Medvinsky")
Ex.1076	U.S. Patent No. 6,885,658 ("Ress")
Ex.1077	U.S. Patent Pub. No. US2002/0101881 ("Sundaresan")
Ex.1078	U.S. Patent Pub. No. US2004/0001493 ("Cloonan")
Ex.1079	U.S. Patent Pub. No. US2001/0053208 ("Pinard")
Ex.1080	U.S. Patent Pub. No. US2004/0071129 ("Doerr")
Ex.1081	U.S. Patent Pub. No. US2003/0161453 ("Veschi")
Ex.1082	U.S. Patent Pub. No. US2007/0133515 ("Kumar")
Ex.1083	U.S. Patent No. 6,873,604 ("Surazski")
Ex.1084	Robert M. Gray, "The 1974 Origins of VoIP", IEEE Signal Processing Magazine (July 2005)
Ex.1085	H. Schulzrinne, "Voice Communication Across the Internet: A Network Voice Terminal", CS Technical Report 92-50 (July 1992)

Ex.1086	University of Southern California 1982 Annual Technical Report, Information Sciences Institute (July 1981 – June 1982)
Ex.1087	Clifford J. Weinstein and James W. Forgie, "Experience with Speech Communication in Packet Networks", IEEE Journal on Selected Areas in Communications, Vol. SAC-1, No. 6 (December 1983)
Ex.1088	U.S. Patent Pub. No. US2001/0055331 ("Agazzi")
Ex.1089	U.S. Patent Pub. No. US2005/0084269 ("Dallesasse")
Ex.1090	Unopposed Motion for Leave to Amend Infringement Contentions - *Croga Innovations Ltd. v. Cisco Systems, Inc.*, 2:24-cv-00065, Dkt. 52 (E.D. Tex. July 16, 2024).
Ex.1091	U.S. Patent No. 6,934,258 ("Smith")
Ex.1092	U.S. Patent Pub. No. US2004/0215812 ("Lu")
Ex.1093	U.S. Patent Pub. No. US2004/0061505 ("Fitzpatrick")
Ex.1094	U.S. Patent Pub. No. US2003/0179761 ("Dobbins")
Ex.1095	U.S. Patent No. US6,914,900 ("Komatsu")
Ex.1096	U.S. Patent Pub. No. US2004/0252701 ("Anandakumar")
Ex.1097	U.S. Patent Pub. No. US2003/0063569 ("Kalliokulju")
Ex.1098	S. Bradner, "The Internet Standards Process - - Revision 3," IETF Request for Comments 2026 (October 1996)
Ex.1099	F. Andreasen, et al., "Media Gateway Control Protocol (MGCP) Version 1.0," IETF Request for Comments 3435 (January 2003) (as captured by the Wayback Machine on March 10, 2003, http://web.archive.org/web/20030310204806if_/http://www.ietf.org/rfc/rfc3435.txt).
Ex.1100	B. Foster, et al., "Basic Media Gateway Control Protocol (MGCP) Packages," IETF Request for Comments 3660 (December 2003) (as captured by the Wayback Machine on March 2, 2004, http://web.archive.org/web/20040302145853if_/http://www.ietf.org/rfc/rfc3660.txt).
Ex.1101	"RFC Database", RFC Editor, IEFT (March 7, 2002) (as captured by the Wayback Machine on June 2, 2004, http://web.archive.org/web/20040602210051if_/http://www.rfc-editor.org/rfc.html).

Ex.1102	"RFC Index", IETF (Created March 31, 2004) (as captured by the Wayback Machine on April 2, 2004, http://web.archive.org/web/20040402101532if_/http://www.ietf.org/iesg/1rfc_index.txt)
Ex.1103	"VoIP for Dummies" on dummies.com (as captured by the Wayback Machine on December 14, 2005, https://web.archive.org/web/20051214151026/http://www.dummies.com/WileyCDA/DummiesTitle/productCd-0764588435.html).
Ex.1104	"Everyday Computing" on dummies.com (as captured by the Wayback Machine on September 10, 2005, https://web.archive.org/web/20050910152724/http://www.dummies.com/WileyCDA/Section/id-100004.html).
Ex.1105	"Everyday Computing" on dummies.com (as captured by the Wayback Machine on November 4, 2005, https://web.archive.org/web/20051104050929/http://www.dummies.com/WileyCDA/Section/id-100004.html).
Ex.1106	"Using the Wayback Machine," https://help.archive.org/help/using-the-wayback-machine/.
Ex.1107 (unfiled)	U.S. Patent Pub. No. 20020080777
Ex.1108 (unfiled)	U.S. Patent Pub. No. 20020059404
Ex.1109 (unfiled)	U.S. Patent Pub. No. 20070073891
Ex.1110 (unfiled)	U.S. Patent Pub. No. 20050276272
Ex.1111 (unfiled)	U.S. Patent Pub. No. 20170054770
Ex.1112 (unfiled)	U.S. Patent No. 7,881,712
Ex.1113 (unfiled)	U.S. Patent Pub. No. 20040268242
Ex.1114 (unfiled)	U.S. Patent Pub. No. 20040044791

Ex.1115 (unfiled)	Cover page of IEEE Signal Processing Magazine, Vol. 22, No. 4 (July 2005), obtained from https://ieeexplore.ieee.org/stamp/stamp.jsp?tp=&arnumber=1458255
Ex.1116 (unfiled)	Table of contents of IEEE Signal Processing Magazine, Vol. 22, No. 4 (July 2005), obtained from https://ieeexplore.ieee.org/stamp/stamp.jsp?tp=&arnumber=1458261
Ex.1117 (unfiled)	U.S. Patent No. 6,282,196
Ex.1118 (unfiled)	U.S. Patent No. 6,067,350
Ex.1119 (unfiled)	Declaration of Theodore M. Foster under 37 C.F.R. § 1.68
Ex.1120 (unfiled)	Declaration of Gregory Huh under 37 C.F.R. § 1.68
Ex.1121 (unfiled)	Cover page of Tsinghua Science and Technology, Vol. 1, No. 2 (June 1996), obtained from https://ieeexplore.ieee.org/stamp/stamp.jsp?tp=&arnumber=6077946
Ex.1122 (unfiled)	Table of contents of Tsinghua Science and Technology, Vol. 1, No. 2 (June 1996), obtained from https://ieeexplore.ieee.org/stamp/stamp.jsp?tp=&arnumber=6077947
Ex.1123 (unfiled)	Table of contents of Computer Communications, Vol. 28, No. 5 (23 March 2005), obtained from https://www.sciencedirect.com/science/article/pii/S0140366405001039/pdfft?md5=6fb3bfaeae23b94359c72ad94d877f81&pid=1-s2.0-S0140366405001039-main.pdf
Ex.1124 (unfiled)	Copyright registration record for VoIP for Dummies by Timothy V. Kelly (Ex.1019)
Ex.1125 (unfiled)	U.S. Patent Application No. 11/113,679 (now U.S. 7881712, Ex.1112), specification as filed April 25, 2005
Ex.1126 (unfiled)	U.S. Patent Application No. 11/139,000 (now U.S. 20050276272, Ex.1110), specification as filed May 27, 2005
Ex.1127 (unfiled)	U.S. Patent Application No. 11/241,679 (now U.S. 20070073891, Ex.1109), specification as filed September 29, 2005

Ex.1128 NEW	Joint Motion Regarding Stipulation of Dismissal of Certain Asserted Patent by Croga Innovations Ltd. and Cisco Systems, Inc.; *Croga Innovations Ltd. v. Cisco Systems, Inc*.; 2:24-cv-00065, ECF No. 66 (E.D. Tex.)
Ex.1129 NEW	Order of Dismissal with Prejudice; *Croga Innovations Ltd. v. Cisco Systems, Inc*.; 2:24-cv-00065, ECF No. 109 (E.D. Tex.)
Ex.1130 NEW	Joint Stipulation of Dismissal of Asserted Patent by Croga Innovations Ltd and Cisco Systems, Inc.; *Croga Innovations Ltd. v. Cisco Systems, Inc*.; 2:24-cv-00065, ECF No. 66-1 (E.D. Tex.)

CERTIFICATE OF SERVICE

The undersigned certifies, under 37 C.F.R. § 42.6, that service was made on the Patent Owner as detailed below.

Date of service April 22, 2025

Manner of service Electronic Mail: bcooper@bc-lawgroup.com; robert@auchterlaw.com; slindner@bc-lawgroup.com; Croga_Counsel@bc-lawgroup.com

Documents served **Joint Motion to Terminate *Inter Partes* Review; Petitioner's Updated Exhibit List; and Exhibits Ex.1128 – Ex.1130**.

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