UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AKTANA, INC.,
Petitioner

v.

VEEVA SYSTEMS INC.,
Patent Owner

Case IPR2024-01443

U.S. Patent No. 9,055,023

Title: SYSTEM AND METHOD FOR CONTROLLING ELECTRONIC COMMUNICATIONS

JOINT MOTION TO TERMINATE
PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.74

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

PETITIONER'S EXHIBIT LIST

Petitioner Exhibit No.	DESCRIPTION
1001	U.S. Patent No. 9,055,023 ("'023 Patent")
1002	Declaration of Dr. Daniel P. Lopresti
1003	File History of the '023 Patent
1004	*Veeva Sys. Inc. v. Tact.AI Techs, Inc.*, No. 23-cv-1032 (JFM), Dkt. No. 90 (D. Del. July 11, 2024) ("Amended Scheduling Order")
1005	United States Patent Publication No. 2014/0208391 ("Farnsworth")
1006	United States Patent Publication No. 2012/0221663 ("Liebenberg")
1007	United States Patent Publication No. 2004/0054610 ("Amstutz")
1008	United States Patent Publication No. 2011/0313828 ("Harrell")
1009	United States Patent Publication No. 2008/0155025 ("Xu")
1010	*SITO Mobile R&D IP, LLC et al v. World Wrestling Entertainment, Inc.,* No 1:21-cv-00721, 2021 WL 7628181 (D. Del. Dec. 20, 2021)
1011	*Allergen USA, Inc. v. Prollenium US Inc*., No. 1:20-cv-00104, Dkt. No. 34 (D. Del. July 16, 2020)
1012	Lex Machina Statistics for Time-to-Trial in U.S. District Court for the District of Delaware (Patent Cases) (last accessed Sept. 12, 2024)
1013	Memorandum, "Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation" (June 21, 2022)
1014	Confidential Settlement Agreement between Veeva Systems Inc. and Aktana, Inc.
1015	Joint Stipulation and Order of Dismissal

Pursuant to 35 U.S.C. § 317(a), 37 C.F.R. § 42.74, and the authorization provided by the Board via email on January 29, 2025, Petitioner Aktana, Inc. ("Aktana") and Patent Owner Veeva Systems Inc. ("Veeva") (collectively, "the Parties") jointly request termination of this *inter partes* review (IPR), IPR2024-01443, directed to U.S. Patent No. 9,055,023 ("the '023 Patent") as a result of a settlement agreement that resolved all pending disputes between Petitioner and Patent Owner concerning the '023 Patent. On January 22, 2025, Honorable District Court Judge John F. Murphy entered an order that dismissed with prejudice the parallel district court litigation. *See* Exhibit 1015.

I. CERTIFICATION

As required by 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, the Parties jointly submit a true copy of the settlement agreement (the "Agreement") made in connection with the termination of the proceeding under 37 CFR § 42.74(b) with this joint motion. The Agreement is filed herewith as a confidential exhibit (Exhibit 1014). The Agreement includes all of the associated collateral agreements referred to in the Agreement as Appendix A.

The Parties certify that there is no other "agreement or understanding between the Petitioner and Patent Owner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of" this proceeding. 35 U.S.C. § 317(a); *see also* 37 CFR § 42.74(b).

II. STATUS OF RELATED PROCEEDINGS

The Parties have resolved their disputes regarding the '023 Patent, including both in this proceeding and in the related district court litigation, *Veeva Systems, Inc., v. Tact.ai Technologies, Inc. and Aktana, Inc.,* No. 1:23-cv-01032 (D. Del.). The Parties do not anticipate further litigation between them concerning the '023 Patent. The following related proceeding is currently before the Board: IPR2024-01444.

III. STATEMENT OF PRECISE RELIEF REQUESTED

As authorized by the Board's e-mail message dated January 29, 2025, the Parties are jointly and contemporaneously filing: (i) this joint motion to terminate the proceeding; (ii) a true copy of the entire Agreement between Petitioner and Patent Owner; and (iii) a joint request to treat the Agreement as business confidential information and keep the Agreement separate from the file of the involved patent, pursuant to 37 C.F.R. § 42.74(c).

The Parties jointly request the Board terminate this proceeding in its entirety. Termination of this proceeding is appropriate because a settlement has been reached whereby the Parties have stipulated to dismiss with prejudice the parallel district court litigation. *See* Exhibit 1015. "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." 35 U.S.C § 317(a).

Good cause exists to terminate this proceeding because (1) the Parties have

resolved their disputes regarding the ’023 Patent; (2) this proceeding is still at an early stage because Patent Owner’s Preliminary Response has not been filed and the Office has not yet ruled on institution or decided the merits of the proceeding; (3) “[t]here are strong public policy reasons to favor settlement between the parties to a proceeding” (Consolidated Trial Practice Guide (“TPG”) at 86 (November 2019)); (4) “[t]he 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” (*id.* citing 35 U.S.C. §§ 317(a), 327); and (5) terminating the proceeding now would thus serve the interests of judicial economy and both Parties.

IV. CONCLUSION

The Parties have settled all disputes relating to the ’023 Patent. The proceedings are still at an early stage, and the Board has not entered a final written decision on the merits. Accordingly, the Parties jointly and respectfully request that the Board terminate the instant proceeding in its entirety and treat Exhibit 1014 as Business Confidential Information and keep it separate from the patent file.

Dated: January 31, 2025

Respectfully submitted,

/Yung-Hoonn Ha/
Yung-Hoon Ha
Counsel for Petitioner
DESMARAIS LLP
230 Park Avenue, 26th Floor
New York, New York 10169
Reg. No. 56,368

/Safiya Aguilar/
Safiya Aguilar
Counsel for Patent Owner
Finnegan, Henderson, Farabow,
Garrett, & Dunner LLP
901 New York Avenue, NW
Washington, DC 20001-4413
Reg. No. 77,212

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on January 31, 2025, a complete copy of the foregoing was served on counsel of record for Patent Owner by filing this document through P-TACTS and by sending this document via electronic mail to the following email addresses:

Kara A. Specht (Reg. No. 69,560)
Finnegan, Henderson, Farabow,
Garrett, & Dunner LLP
271 17th Street, NW, Suite 1400
Atlanta, GA 30363-6209
Tel.: 404-653-6481
Fax: 202-408-4400
kara.specht@finnegan.com

Safiya Aguilar (Reg. No. 77,212)
Finnegan, Henderson, Farabow,
Garrett, & Dunner LLP
901 New York Avenue, NW
Washington, DC 20001-4413
Tel: 202-408-4160
Fax: 202-408-4400
safiya.aguilar@finnegan.com

Dated: January 31, 2025

Respectfully submitted,

/Yung-Hoon Ha/

Yung-Hoon Ha (Reg. No. 56,368)
Desmarais LLP
230 Park Ave
New York, NY 10169
212-808-1060 (telephone)
212-351-3401 (facsimile)

Counsel for Petitioner Aktana, Inc.