

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO (UNITED STATES) INC.,
Petitioner,

v.

TELEFONAKTIEBOLAGET LM ERICSSON,
Patent Owner.

IPR2025-00009
Patent No. 10,972,654 B2

JOINT MOTION TO TERMINATE THE PROCEEDING

I. PRECISE RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72, and the Board’s authorization provided on April 4, 2025, Petitioner Lenovo (United States) Inc. and Patent Owner Telefonaktiebolaget LM Ericsson hereby provide notice that they have reached a Settlement Agreement and jointly request termination of the *inter partes* review of U.S. Patent No. 10,972,654 B2 (“the ’654 Patent”), Case No. IPR2025-00009, with the United States Patent and Trademark Office.

II. TERMINATION IS APPROPRIATE

The basis for this Joint Motion is the settlement of all disputes between the Parties relating to the ’654 Patent. Termination is proper because the Parties are jointly requesting termination, this IPR proceeding is still in its early stages, and the Office has not yet “decided the merits of the proceeding before the request for termination is filed.” 35 U.S.C. § 317. 37 C.F.R. § 42.72 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).

Petitioner filed its petition for IPR on October 11, 2024. Patent Owner filed its preliminary response on January 30, 2025. The Board has not yet issued an institution decision in this proceeding. The Board has therefore not decided the merits of this case.

The Parties have settled all disputes relating to the '654 Patent by entering into the Settlement Agreement. The Settlement Agreement requires termination of this IPR proceeding, the Parties' district court litigation regarding the '654 Patent, *Telefonaktiebolaget LM Ericsson, et al. v. Lenovo (United States), Inc., et al.*, Civil Action No. 5:23-cv-570 in the Eastern District of North Carolina, Western Division, and *In the Matter of Certain Electronic Devices, Including Mobile Phones, Tablets, Laptops, Components Thereof, and Products Containing the Same*, Investigation No. 337-TA-1376 of the U.S. International Trade Commission. *See* Ex. 1026. There are no other pending proceedings involving the '654 Patent.

For at least these reasons, termination of this IPR proceeding will preserve the resources of the Parties and the Board that would otherwise be expended if this motion is denied.

III. AGREEMENTS IN WRITING SUBMITTED TO THE BOARD

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), the Parties'

Settlement Agreement has been made in writing, and a true and correct copy is being filed concurrently herewith as Exhibit 1026.

The Settlement Agreement refers to an Arbitration Agreement. Petitioner maintains that the Arbitration Agreement was not made in connection with, or in contemplation of, the termination of this proceeding. Nonetheless, out of an abundance of caution, the Parties file a copy of the Arbitration Agreement herewith as Exhibit 1027. 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.

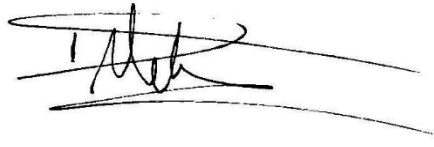
Pursuant to 35 U.S.C. § 317(b), 37 C.F.R. § 42.74(c), in a separate paper filed concurrently herewith, the Parties jointly request that the entireties of the Settlement Agreement and the Arbitration Agreement, be treated as business confidential information and kept separate from the file of the '654 Patent.

IV. CONCLUSION

For all of these reasons, Petitioner and Patent Owner respectfully request termination of the *inter partes* review of U.S. Patent No. 10,972,654 B2, Case No. IPR2025-00009.

Pursuant to 35 U.S.C. § 317(a), because Petitioner and Patent Owner request this termination as to Petitioner, no estoppel under 35 U.S.C. § 315(e) shall attach to Petitioner.

Respectfully submitted,



Dated: April 18, 2025

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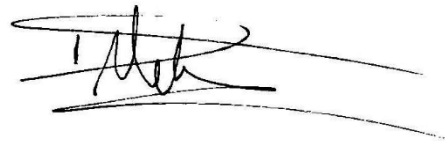
CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned hereby certifies that this
“JOINT MOTION TO TERMINATE THE PROCEEDING” was served by filing
this document through the Patent Trial and Appeal Case Tracking System and via
e-mail to the following attorneys of record for the Patent Owner:

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Dated: April 18, 2025

Respectfully submitted,



By: _____
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