UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ERICSSON, INC., NOKIA OF AMERICA CORP., AT&T SERVICES, INC., CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, GOOGLE LLC, and T-MOBILE USA, INC.,

Petitioner

v.

PEGASUS WIRELESS INNOVATION LLC,

Patent Owner

Case No. IPR2025-00083
U.S. Patent No. 10,638,463

RENEWED JOINT MOTION TO PARTIALLY TERMINATE PROCEEDING AS TO ERICSSON, PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R §§ 42.72, 42.74

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US Patent and Trademark Office
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Alexandria, Virginia 22313-1450

LIST OF EXHIBITS

Exhibit	Short Name	Description
Ex. 1001	’463 Patent	U.S. Patent No. 10,638,463
Ex. 1002	Declaration	Declaration of Dr. Sumit Roy
Ex. 1003	CV	*Curriculum Vitae* of Dr. Sumit Roy
Ex. 1004	’463 File History	File History of U.S. Patent No. 10,638,463
Ex. 1005	’000 File History	File History of U.S. Patent No. 11,219,000
Ex. 1006	Takeda	International Publication No. WO 2019/030929 A1
Ex. 1007	Certified Translation of Takeda	Certified Translation of International Publication No. WO 2019/030929 A1
Ex. 1008	Yan- PCT	International Publication No. WO 2017/024554 A1
Ex. 1009	Certified Translation of Yan- PCT	Certified Translation of International Publication No. WO 2017/024554 A1
Ex. 1010	Yan- U.S. Patent	U.S. Patent No. 10,736,085 B2
Ex. 1011	Marinier	U.S. Patent Application Publication No. US 2014/0056278 A1
Ex. 1012	R1-1711853	Activation/deactivation of bandwidth part
Ex. 1013		Reserved
Ex. 1014	Hooli	U.S. Patent Application Publication No. US 2018/0324786 A1
Ex. 1015	Yiu	U.S. Patent Application Publication No. US 2019/0044689 A1
Ex. 1016	Ahn	U.S. Patent Application Publication No. US 2019/0268123 A1
Ex. 1017	Bishop Declaration	Declaration of Craig Bishop

Exhibit	Short Name	Description
Ex. 1018	21.905 V12.0.0	3GPP Technical Specification 21.905 V12.0.0 (2013-06)
Ex. 1019	21.905 V14.1.1	3GPP Technical Specification 21.905 V.14.1.1 (2017-06)
Ex. 1020	Yang	U.S. Patent Application Publication No. US 2019/239214 A1
Ex. 1021	Takeda ’856	U.S. Patent No. 11,265,856
Ex. 1022	Takeda ’073	U.S. Patent No. 11,160,073
Ex. 1023	Zhang	International Publication No. WO 2018/227538 A1
Ex. 1024	Li	U.S. Patent Application Publication No. US 2016/0338041 A1
Ex. 1025	Ahn ’664	U.S. Patent No. 10,305,664
Ex. 1026	Shaheen	U.S. Patent No. 10,805,941
Ex. 1027	’463 Claim Chart	U.S. Patent No. 10,638,463 Claim Chart
Ex. 1028	Order modifying deadlines	Order modifying case deadlines for D. Ct. Case Nos. 2:23-cv-00640-JRG, 2:23-cv-00638-JRG, and 2:23-cv-00639-JRG
Ex. 1029	First amended docket control order	First Amended Docket Control Order for D. Ct. Case Nos. 2:23-cv-00640-JRG, 2:23-cv-00638- JRG, and 2:23-cv-00639-JRG
Ex. 1030	Consolidation order	Order consolidating D. Ct. Case Nos. 2:23- cv- 00640-JRG, 2:23-cv-00638-JRG, and 2:23-cv-00639-JRG for pretrial issues
Ex. 1031	Andrews	Jeffrey G. Andrews, *et al.*, “What Will 5G Be?” *IEEE Journal on Selected Areas in Communications*, Vol. 32, No. 6 (June 2014)
Ex. 1032	Oh	U.S. Patent No. 10,980,007
Ex. 1033	Wilson	U.S. Patent No. 10,588,143

Exhibit	Short Name	Description
Ex. 1034	Ratasuk	Repeepat Ratasuk, *et al.*, "Carrier Aggregation and Dual Connectivity," Mobile Radio Research Lab, Nokia Bell Labs (2017)
Ex. 1035	Silva	Icaro Da Silva, *et al.*, "Tight integration of new 5G air interface and LTE to fulfill 5G requirements" *IEEE* (2015)
Ex. 1036	Marsch	Patrick Marsch, *et al.*, "5G Radio Access Network Architecture: Design Guidelines and Key Considerations" *IEEE Communications Magazine* (November 2016)
Ex. 1037	ATIS	ATIS.3GPP.37.863-01-01.V1540
Ex. 1038	Protective order	*Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* Nos. 2:23-cv-00640, 2:23-cv-00638, 2:23-cv-00639 (E.D. Tex.) Protective Order from Non-Jurisdictional Discovery
Ex. 1039	Fourth amended docket control order	Fourth Amended Docket Control Order for D. Ct. Case Nos. 2:23-cv-00640-JRG, 2:23-cv-00638- JRG, and 2:23-cv-00639-JRG
Ex. 1040	Opposition to Order Focusing Claims	*Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* Nos. 2:23-cv-00640, 2:23-cv-00638, 2:23-cv-00639 (E.D. Tex.) Pegasus Wireless Innovation LLC's Surreply in Opposition to Defendants and Intervenors' Motion for Entry of an Order Focusing Asserted Patent Claims and Prior Art
Ex. 1041	Email authorizing submission of District Court Dismissal	Email from Patent Trial and Appeal Board to Parties (May 7, 2025).

Exhibit	Short Name	Description
Ex. 1042	Dismissal of certain patents from District Court	*Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* Nos. 2:23-cv-00640, 2:23-cv-00638, 2:23-cv-00639 (E.D. Tex.) Joint Motion to Dismiss Infringement Allegations and Non- Infringement and Invalidity Counterclaims with Respect to U.S. Patent Nos. 10,594,460; 10,638,463; 10,721,118; and 11,405,942
Ex. 1043	Email from Patent Owner withdrawing claims	Email from Jordan Rux (April 24, 2025).
Ex. 1044	Claim Construction Order	Claim Construction Order signed on July 3, 2025 (Dkt. 416 filed July 7, 2025) in *Pegasus Wireless Innovation LLC v. Verizon Communications Inc. et al,* No. 2:23-cv-00640 (E.D. Tex.)
Ex. 1045	AT&T-KT-Pegasus Binding Term Sheet	Binding term sheet executed between AT&T, KT, and Pegasus (CONFIDENTIAL)
Ex. 1046	Verizon-KT-Pegasus Binding Term Sheet	Binding term sheet executed between Verizon, KT, and Pegasus (CONFIDENTIAL)
Ex. 1047	T-Mobile-KT-Pegasus Binding Term Sheet	Binding term sheet executed between T-Mobile, KT, and Pegasus (CONFIDENTIAL)
Ex. 1048	Ericsson-KT-Pegasus Settlement and License Agreement	Settlement and License Agreement executed between Ericsson, KT, and Pegasus (CONFIDENTIAL)

I. STATEMENT OF RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317 and 37 C.F.R. §§ 42.72 and 42.74, the Board's authorization by email dated November 6, 2025, and the Board's Order (*see* Paper 41 at 3), Petitioner Ericsson, Inc. ("Ericsson"), Patent Owner KT Corporation ("KT"), and Exclusive Licensee Pegasus Wireless Innovation LLC ("Pegasus") (Ericsson, KT, and Pegasus, collectively "the Parties") jointly move to terminate the present *inter partes* review proceeding as to Ericsson as a result of a Settlement and License Agreement executed between Ericsson, KT, and Pegasus (Ex. 1048). Execution of the Ericsson-KT-Pegasus Settlement and License Agreement and subsequent filing of dismissal of the district court litigations have completely resolved all pending controversies between the Parties concerning U.S. Patent No. 10,638,463 ("the '463 Patent").

The Parties are concurrently filing a true copy of the Ericsson-KT-Pegasus Settlement and License Agreement as required by statute. The Parties further jointly certify that there are presently no other agreements or understandings, oral or written, between them, including any collateral agreements, made in connection with, or in contemplation of, the termination of Ericsson from this proceeding as set forth in 35 U.S.C. § 317(b).[1]

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[1] This Motion is styled as "Renewed" because it corrects an error in the Parties' certification statement as identified in the Board's Order Denying Without Prejudice

II. STATEMENT OF FACTS

Pegasus asserted the ’463 Patent in the following actions:

- *Pegasus Wireless Innovation LLC. v. AT&T Inc. et al.*, No. 2:23-cv-00638 (E.D. Tex) (hereafter, “AT&T Case”);
- *Pegasus Wireless Innovation LLC. v. T-Mobile US, Inc. et al.*, No. 2:23-cv-00639 (E.D. Tex) (hereafter, “T-Mobile Case”); and
- *Pegasus Wireless Innovation LLC. v. Verizon Communications Inc. et al.*, No. 2:23-cv-00640 (E.D. Tex) (hereafter, “Verizon Case”).

Ericsson—along with non-movants AT&T Services, Inc. (“AT&T”), Cellco Partnership d/b/a Verizon Wireless (“Verizon”), T-Mobile USA, Inc. (“T-Mobile”), Nokia of America Corporation (“Nokia”), and Google LLC (“Google”) (AT&T, Verizon, T-Mobile, Nokia, and Google, collectively, “the Non-Moving Petitioners”)[2]—filed a petition for *inter partes* review of certain claims of the ’463 Patent on November 15, 2024. Pegasus filed a preliminary response on March 10, 2025. The Board

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Joint Motion to Terminate as to Ericsson and Joint Requests to Treat Confidential and Separate. *See* Paper 41 at 2-3.

[2] While AT&T, Verizon, and T-Mobile are non-Movants for purposes of the present Motion, a separate joint motion to partially terminate the above-captioned IPR as to AT&T, Verizon, and T-Mobile was filed on October 27, 2025.

instituted *inter partes* review on June 5, 2025. Patent Owner filed a Response on October 27, 2025.

On October 6, 2025, Ericsson, KT, and Pegasus executed a Settlement and License Agreement pursuant to which they agreed, among other things, that upon payment, the AT&T Case, T-Mobile Case, and Verizon Case would be dismissed as to Ericsson and Ericsson's products, and Ericsson would withdraw from any pending IPR petitions. On November 3, 2025, Ericsson, KT, and Pegasus filed a Joint Motion to Dismiss all claims in the AT&T Case.

Along with the Non-Moving Petitioners, Ericsson also filed IPR petitions on other patents asserted by Pegasus in the AT&T Case, Verizon Case, and T-Mobile Case.[3] But IPR was not instituted on any of the other patents. Once the Board grants the present Renewed Joint Motion to Partially Terminate, therefore, there will be no other pending proceedings before the Patent Office involving Ericsson, KT, and Pegasus.

III. 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

[3] *See* IPR2025-00036; IPR2025-00037; IPR2025-00084; IPR2025-00137; IPR2025-00138; IPR2025-00290; IPR2025-00291; IPR2025-00292; IPR2025-00293; IPR2025-00317.

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).

IV. ARGUMENT

Good cause exists to partially terminate the above-captioned IPR as to Ericsson. The parties have settled their entire dispute concerning the '463 patent, and the Board has not yet decided the merits of this proceeding. Thus, under 35 U.S.C. § 317(a), the Board should terminate this proceeding with respect to Ericsson. "Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement." *Oracle Corp. v. Cmty. United IP, LLC*, CBM2013-00015, Paper 13 (P.T.A.B. July 25, 2013) (citing Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012)).

Other factors also weigh in favor of terminating this IPR proceeding as to Ericsson. First, a Patent Owner Response was filed only very recently, so trial in the above-captioned IPR is in its early phase. In similar circumstances involving IPRs in

such an early juncture, the Board has previously granted motions to terminate using its authority under at least 37 C.F.R. §§ 42.5(a) and 42.71(a). *See, e.g.*, *Teva Pharmaceuticals USA, Inc. et al. v. Merck Sharp & Dohme Corp.*, IPR2020-01045, Paper 25 (P.T.A.B. Dec. 8, 2020) (granting joint motion to terminate); *Kavo Dental Techs., LLC v. Osseo Imaging, LLC*, IPR2020- 00659, Paper 14 (P.T.A.B. Sept. 10, 2020) (same); *Zonar Systems, Inc. v. Innovative Global Systems, LLC*, IPR2020-00155, Paper 22 (P.T.A.B. Aug. 27, 2020) (same).

Further, termination of the proceeding as to Ericsson is a just and fair resolution. The parties agree that none of Ericsson, KT, or Pegasus will be prejudiced by the termination. Moreover, the Non-Moving Petitioners have confirmed that they do not object to the proceeding being terminated as to Ericsson. Finally, the parties will benefit from preserving resources that would otherwise be expended if this motion is denied.

V. CONCLUSION

For at least these reasons, Ericsson, KT, and Pegasus respectfully request that the Board grant this Renewed Joint Motion to Partially Terminate the above-captioned IPR proceeding as to Ericsson.

Dated: December 5, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §42.6(e), the undersigned hereby certifies that a true and correct copy of the above-captioned **RENEWED JOINT MOTION TO PARTIALLY TERMINATE PROCEEDING** was served in its entirety on December 5, 2025, via filing through the Patent Trial and Appeal Case Tracking System (P-TACTS), as well as by delivering copies via electronic mail to the following:

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