Paper No. 11
Filed: May 15, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION, LENOVO (UNITED STATES) INC., and MOTOROLA MOBILITY LLC,
Petitioners,

v.

COLLISION COMMUNICATIONS, INC.,
Patent Owner.

Case No. IPR2025-00303
U.S. Patent No. 7,463,703

PETITIONERS' MOTION TO DISMISS

I. INTRODUCTION

Pursuant to the Board's authorization via email on May 14, 2025, Intel Corporation, Lenovo (United States) Inc., and Motorola Mobility LLC (collectively "Petitioners") respectfully submit this Motion to Dismiss to withdraw their petition for *inter partes* review ("IPR") of claims 1–5 of U.S. Patent No. 7,463,703 (the "Petition") and terminate IPR2025-00303. IPR2025-00303 is in its preliminary phase and is thus well-suited for termination. Patent Owner has filed a Preliminary Response (Paper 10), but the Board has yet to reach the merits and issue a decision on institution. Patent Owner has indicated that it does not oppose this motion.

II. BACKGROUND

Petitioners filed their Petition on December 12, 2024. Paper 3. The Petition was filed with a motion for joinder with a petition challenging the same patent claims in *Samsung Electronics America, Inc., et al. v. Collision Communications, Inc.*, IPR2024-01500 (the "Samsung IPR"). Paper 2; *see also* Samsung IPR, Paper 3. The Board denied institution of the Samsung IPR on April 28, 2025, and issued a refund to the Samsung petitioners on May 8, 2025. *See* Samsung IPR, Papers 14 & 16.

Patent Owner filed its preliminary response in the instant proceeding on March 18, 2025, *see* Paper 10, and the Board's institution decision is not due until June 18, 2025, *see* 35 U.S.C. § 314(b)(1).

III. GOOD CAUSE EXISTS FOR WITHDRAWING THE PETITION AND TERMINATING THE INSTANT PROCEEDING

Consistent with 37 C.F.R. § 42.71(a) and the Board's precedent allowing a petitioner to withdraw a petition pre-institution, good cause exists to withdraw the instant Petition and terminate IPR2025-00303. Petitioners believe the instant Petition is meritorious and demonstrates the unpatentability of the challenged patent claims. However, in view of the Board's denial of institution in the Samsung IPR, termination would preserve the Board's resources, thus furthering the purpose of IPR challenges. *See* 37 C.F.R. § 42.1(b). Patent Owner would not be prejudiced by termination, as it does not oppose this motion and Petitioners have represented to Patent Owner that they do not intend to file another IPR petition with respect to this patent.

First, the Board has previously allowed a petitioner to withdraw its petition and granted dismissal under the same circumstances. *See, e.g.*, *DIRECTV, LLC v. Entropic Commc'ns, LLC*, IPR2024-01062, Paper 8 (PTAB Oct. 28, 2024). In *DIRECTV*, as here, the petitioner filed its petition as a copycat of a petition in another proceeding to which it sought joinder. *See id*., Papers 7 & 8. Once the Board denied institution of the other proceeding (and before an institution decision on the copycat petition), the petitioner sought to withdraw its own petition on the basis that doing so "would save considerable resources and promote the efficiency

of the Board." *Id*., Paper 8 at 1 (internal quotation marks omitted). After consideration of the circumstances, the Board "determine[d] that it [was] appropriate to grant Petitioner's Motion to withdraw the Petition and terminate the proceeding." *Id*.

Second, this proceeding is well-suited for termination because it is "in a preliminary stage and the Board has not issued [a] decision[] on institution." *See, e.g.*, *Gen. Elec. Co. v. Siemens Gamesa Renewable Energy A/S*, IPR2021-00722, Paper 11 at 2 (PTAB Oct. 7 2021). The institution decision due date is still over a month away. *See id.* (granting the petitioner's motion to dismiss less than a month before the institution decision due date). Furthermore, the Board has found dismissal to be appropriate in a "preliminary proceeding stage" when, as here, Petitioners will not "fil[e] another petition for *inter partes* review with respect to [the same] patent[]." *Samsung Elecs. Co. v. NVIDIA Corp.*, IPR2015-01270, Paper 12 at 3 (PTAB Dec. 9, 2025) (granting pre-institution motion to terminate proceeding); *see also Reolink Digital Tech. Co., Ltd. v. KT Imaging USA, LLC*, IPR2024-01154, Paper 6 at 2 (Sept. 23, 2024) ("determin[ing] that it is appropriate to grant Petitioner's Motion to withdraw the Petitions and terminate the proceedings" where the "proceeding[s] are in their preliminary stages, and no decisions on whether to institute . . . have been made" and "Patent Owner stated

that it does not oppose the withdrawal of the petition" (internal quotation marks omitted)).

The same rationales apply here. Because the Board has denied institution in the Samsung IPR, there is no reason to tax the Board's finite resources with the present proceeding. Terminating the proceeding would ultimately save considerable resources and promote the efficiency of the Board.

IV. CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the Board grant their motion to dismiss by allowing withdrawal of the underlying Petition and terminating IPR2025-00303.

Respectfully submitted,

Date: May 15, 2025

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served by electronic mail on the following counsel of record:

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