

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAP AMERICA INC. and
SAP SE.,
Petitioner,

v.

VALTRUS INNOVATIONS LTD. and
KEY PATENT INNOVATIONS LTD.,
Patent Owner.

IPR2025-00419
Patent 7,936,738 B2

Before LINDA E. HORNER, THOMAS L. GIANNETTI, and
NABEEL U. KHAN, *Administrative Patent Judges*.

KHAN, *Administrative Patent Judge*.

DECISION
Dismissal Prior to Institution of Trial
35 U.S.C. § 314

On June 25, 2025, with Board authorization, Petitioner filed its Motion to Terminate *Inter Partes* Review. Paper 11 (“Mot.”). Petitioner filed its Petition on January 15, 2025. Paper 1. Patent Owner filed its Preliminary Response on June 10, 2025. Paper 9. In addition, the parties have filed their Discretionary Denial briefing with Patent Owner filing its brief on May 9, 2025 (Paper 7) and Petitioner filing its reply brief on June 9, 2025 (Paper 8).

In its motion, Petitioner argues that “[g]ood cause exists to dismiss SAP’s IPR petition and terminate IPR2025-00419” because it would “preserve the Board’s and the parties’ resources, and would expeditiously resolve SAP’s request” and because the proceeding is in its preliminary stage. Mtn. 3–4. Petitioner also states that “Patent Owner would not be prejudiced by termination and Patent Owner does not oppose this motion.” *Id.* at 3. In addition, Petitioner states “[t]he parties have not reached a settlement agreement regarding this [U.S. Patent No. 7,936,738], or any other, patent.” *Id.*

Under 37 C.F.R. § 42.71(a), “[t]he Board may take up petitions or motions for decisions in any order, [and] may grant, deny, or dismiss any petition or motion.” The instant proceeding is in its preliminary stage. A decision on discretionary denial has not yet been issued nor has a decision on institution considering the merits of the Petition. Patent Owner does not oppose this motion. In addition, there is no settlement agreement required to be filed under 37 C.F.R. § 42.74(b). Under the circumstances here, we are persuaded that dismissing the Petition will lead to a “just, speedy, and inexpensive resolution” in this proceeding and promote efficiency and minimize unnecessary costs. 37 C.F.R. § 42.1(b).

Accordingly, we dismiss the Petition in IPR2025-00419 and terminate the instant proceeding. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

ORDER

For the foregoing reasons, it is

ORDERED that Petitioner's unopposed Motion to Terminate *Inter Partes* Review is granted; and

FURTHER ORDERED that the Petition in IPR2025-00419 is dismissed and the proceeding in IPR2025-00419 is terminated.

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Patent 7,936,738 B2

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