

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIDEOAMP, INC.,
Petitioner,

v.

THE NIELSEN COMPANY (US), LLC,
Patent Owner.

IPR2025-00555 (Patent 11,856,250 B2)
IPR2025-00556 (Patent 11,871,058 B2)¹

Before TERRENCE W. McMILLIN, GARTH D. BAER, and
BACH V. HOANG, *Administrative Patent Judges*.

BAER, *Administrative Patent Judge*.

DECISION
Dismissal Prior to Institution of Trial
35 U.S.C. § 314; 37 CFR § 42.74

¹ The combined caption is for administrative convenience only and does not indicate that the listed proceedings have been joined. Parties are not authorized to use this caption without express Board permission.

With the Board's authorization, the Parties filed a Joint Motion to Terminate in each of the above-listed proceedings. Paper 9 ("Joint Motion" or "Mot.").² The Parties represent that all pending disputes between the Parties concerning the challenged patents have been resolved in the district court litigation, and the concurrent litigation has been dismissed. Mot. 1; *see also* Ex. 2001, 13.³ The Parties have not stated that there is, and have not filed, any agreements or understandings between the parties made in connection with, or in contemplation of, their Joint Motions. *See* Mot.; 37 CFR § 42.74(b). The Parties contend there is good cause to terminate the above-listed proceedings because they are "still in the early stages (prior to a Patent Owner Preliminary Response being filed)", and "[t]ermination at this early stage would be beneficial for reducing costs and promoting efficient realization of the Board's resources." Mot. 1.

Each proceeding is at an early stage, and we have not yet decided whether to institute a trial in the proceedings. The Board has discretion to "take up petitions or motions for decisions in any order" and to "grant, deny, or dismiss any petition or motion" or enter any appropriate order. 37 C.F.R. § 42.71(a). Dismissal of the Petition in each proceeding at this early stage, before any decision on the merits, will preserve the Board's and the Parties' resources and promote the objective of a "just, speedy, and inexpensive resolution of every proceeding." 37 C.F.R. § 42.1(b). Based on the facts of these cases and in view of the Parties' Joint Motion, we determine that it is appropriate to dismiss the Petition in each proceeding. *See* 37 C.F.R.

² We cite to papers filed in IPR2025-00555. Petitioner filed a similar motion in IPR2025-00556 (Paper 7), and this Order applies equally in both cases.

³ We cite to exhibits filed in IPR2025-00555. Patent Owner filed similar exhibits in IPR2025-00556 (Ex. 2001).

IPR2025-00555 (Patent 11,856,250 B2)

IPR2025-00556 (Patent 11,871,058 B2)

§ 42.71(a). Therefore, the Parties' Joint Motions are *granted*. This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

ORDER

In view of the above, it is

ORDERED that the Joint Motion to Terminate is *granted*, and each proceeding is terminated as to all parties.

IPR2025-00555 (Patent 11,856,250 B2)

IPR2025-00556 (Patent 11,871,058 B2)

FOR PETITIONER:

Usman A. Khan

W. Karl Renner

FISH & RICHARDSON P.C.

khan@fr.com

axf-ptab@fr.com

PATENT OWNER:

Jennifer C. Bailey

Robin A. Snader

ERISE IP, PA

jennifer.bailey@eriseip.com

robin.snader@eriseip.com

PTAB@eriseip.com