

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Henri Daussi, LLC,
Petitioner,

v.

ECNA, LLC,
Patent Owner.

IPR2025-00807
Patent 9,398,791

**UNOPPOSED MOTION TO WITHDRAW
PETITION FOR INTER PARTES REVIEW**

EXHIBIT LIST

Exhibit No.	Description
HDL-1001	U.S. Patent No. 9,398,791
HDL-1002	File History for U.S. Patent No. 9,398,791
HDL-1003	U.S. Design Patent No. 465,431 to Kanner
HDL-1004	CH 684301 A5 to Schmidt (in German)
HDL-1005	Certified English Translation of HDL-1004 with Certificate of Translation
HDL-1006	Expert Declaration of Thomas R. Paradise, PhD
HDL-1007	U.S. Patent No. US4555916 to Grossbard
HDL-1008	U.S. Design Patent No. 463,315 to Greeff
HDL-1009	U.S. Design Patent No. 524,682 to Sung
HDL-1010	US Patent No. 4,708,001 to Alburger
HDL-1011	Docket Sheet for Parallel District Court Litigation (<i>Christopher Designs, Inc. v. Henri Daussi, LLC</i> , No. 1:24-cv-03186 (S.D.N.Y. Apr 26, 2024))
HDL-1012	Combined Civil and Criminal Federal Court Management Statistics (Dec. 31, 2024) United States Courts (uscourts.gov), available at: https://www.uscourts.gov/sites/default/files/2025-02/fcms_na_distprofile1231.2024.pdf
HDL-1013	Complaint for Parallel District Court Litigation
HDL-1014	Settlement Agreement

Exhibit No.	Description
HDL-1015	Stipulation of Dismissal

I. STATEMENT OF RELIEF REQUESTED

Petitioner Henri Daussi, LLC (“Petitioner”) respectfully moves to withdraw its Petition in the above-captioned proceeding due to a settlement reached with ECNA, LLC (“Patent Owner”) and requests that the Board terminate this proceeding. Petitioner has met and conferred with Patent Owner, who does not oppose the relief requested or the termination of the proceeding.

In accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), Petitioner concurrently submits a true and correct copy of the settlement agreement that governs the resolution of both this inter partes review and the underlying litigation. *See* HDL-1014. There are no other agreements, whether oral or written, between the parties made in connection with, or in contemplation of, the termination of this proceeding.

II. ARGUMENT

A. Good cause exists to withdraw the Petition and terminate this proceeding.

“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.” Patent Trial and Appeal Board Consolidated Trial Practice Guide (Nov. 2019) at 86; *see also id.* (“There are strong public policy reasons to favor settlement between the parties to a proceeding.”); 37 C.F.R. § 42.72 (“The Board may terminate a trial without rendering a final written decision, where appropriate[.]”).

Here, Petitioner respectfully submits that withdrawal of the Petition and termination of this proceeding is appropriate, as the parties have reached an agreement resolving all disputes related to U.S. Patent No. 9,398,791 (the “’791 Patent”) at issue in the above-captioned *inter partes* review. The Board has not issued a final written decision nor decided the merits of the proceeding. *See* HDL-1014. In fact, this case is still at a very early stage: the Petition was filed on March 28, 2025, Patent Owner has not filed a preliminary response, and the Board has not yet issued an institution decision.

Additionally, the parties have filed a Stipulation of Dismissal with Prejudice in the United States District Court for the Southern District of New York on November 19, 2025, in the underlying lawsuit styled *Christopher Designs, Inc. v. Henri Daussi, LLC*, No. 1:24-cv-03186 (S.D.N.Y. Apr 26, 2024). *See* HDL-1015. Termination of this proceeding will not prejudice either Petitioner or Patent Owner, and the parties’ Settlement Agreement specifically contemplates Petitioner filing a motion to withdraw or terminate this proceeding. *See* HDL-1014 at 5.

B. Identification of Parties and Status of Litigation

As noted above, a Stipulation of Dismissal with Prejudice has been filed in the underlying district court litigation between Petitioner and Christopher Designs, Inc., the exclusive licensee of Patent Owner. Accordingly, Patent Owner is effectively the plaintiff in the district court case, with Petitioner named as the

defendant. Henri Daussi, LLC is the sole Petitioner in this inter partes review, so the Petition may be withdrawn and this proceeding terminated in its entirety pursuant to this motion.

III. CONCLUSION

For the reasons outlined above, Petitioner has satisfied the requirements of 35 U.S.C. § 317 and 37 C.F.R. §§ 42.72 and 42.74, making withdrawal of the Petition and termination of the above-captioned *inter partes* review appropriate. Petitioner respectfully requests that the Board grant this unopposed motion to withdraw the Petition and terminate the proceeding.

Dated: November 19, 2025

Respectfully Submitted,

/Armin Ghiam/

Armin Ghiam

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), lead counsel for Petitioner hereby certifies that on March 28, 2025, a copy of this UNOPPOSED MOTION TO WITHDRAW PETITION FOR INTER PARTES REVIEW and all supporting exhibits were provided by email to the Patent Owner's counsel of record.

Dated: November 19, 2025

Respectfully Submitted,

/Armin Ghiam/

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HUNTON ANDREWS KURTH LLP