UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION and ADVANCED MICRO DEVICES, INC.,
Petitioners

v.

ADVANCED CLUSTER SYSTEMS, INC.,
Patent Owner.

IPR2025-00914

U.S. Patent No. 12,021,679

JOINT MOTION TO TERMINATE PROCEEDINGS AS TO ADVANCED MICRO DEVICES, INC.

EXHIBIT LIST

The following exhibit is being filed with this Joint Motion to Terminate Proceeding:

Exhibit	Reference
1086-1161	Reserved
1162	Advanced Cluster Systems and Advanced Micro Devices Confidential Settlement and Patent License Agreement

I. STATEMENT OF RELIEF REQUESTED

Petitioner Advanced Micro Devices, Inc. ("AMD") and Patent Owner Advanced Cluster Systems, Inc. ("Patent Owner" or "ACS") (collectively, the "Terminating Parties") have reached an agreement (the "Settlement Agreement") to resolve their disputes. Pursuant to 35 U.S.C. § 317, 37 C.F.R. §§ 42.72 and 42.74, and authorization provided by the Board on January 22, 2026, the Terminating Parties jointly move for termination of this *inter partes* review ("IPR") proceeding (IPR2025-00914) as to AMD only, and request that the Settlement Agreement be treated as business confidential information pursuant to 35 U.S.C.§ 317(b) and 37 C.F.R. § 42.74(c). Petitioner Intel Corporation ("Intel") will remain a party in the proceeding.

II. STATEMENT OF FACTS

A joint motion to terminate generally "must (1) include a brief explanation as to why termination is appropriate; (2) identify all parties in any related litigation involving the patents at issue; (3) identify any related proceedings currently before the Office; and (4) discuss specifically the current status of each such related litigation or proceeding with respect to each party to the litigation or proceeding." *Heartland Tanning, Inc. v. Sunless, Inc.*, IPR2014-00018, Paper 26, at *2 (PTAB July 28, 2014).

Under 37 C.F.R. § 42.74(b), the Settlement Agreement is in writing. A true and correct copy is being filed as Exhibit 1086. The Settlement Agreement is being filed electronically with access to "Board Only." A "Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74" is being filed concurrently with this Joint Motion to Terminate to treat the Settlement Agreement as business confidential information and keep it separate from the files of the involved patent under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). The agreement contains confidential commercial and financial information of the Terminating Parties.

On September 26, 2024, Patent Owner filed separate lawsuits against AMD and Intel alleging infringement of U.S. Patent No. 12,021,679 in the United States District Court for the Western District of Texas (*ACS v. AMD*, 7:24-cv-00244-ADA and *ACS v. Intel*, 7:24-cv-00245-ADA). A Joint Stipulation to Dismiss has been filed to dismiss all claims in the *ACS v. AMD* litigation with prejudice. The *ACS v. Intel* litigation remains pending in the Western District of Texas.

III. RELIEF REQUESTED

The Terminating Parties request termination of this *inter partes* review and respectfully submit that such termination is justified. "There are strong public policy reasons to favor settlement between the parties to a proceeding." Consolidated Trial Practice Guide 86 (Nov. 2019). "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." *Id.* (citing 35 U.S.C. § 317(a)).

The Board should terminate this proceeding as to petitioner AMD, as the Terminating Parties jointly request, for the following reasons.

First, AMD and ACS have met the statutory requirement that they file a "joint request" to terminate before the Office "has decided the merits of the proceeding." 35 U.S.C. § 317(a). Under Section 317(a), an IPR shall be terminated upon such joint request "unless the Office has decided the merits of the proceeding before the request for termination is filed." There are no other preconditions recited in 35 U.S.C. § 317(a).

Second, AMD and ACS have reached a settlement as to all the disputes in this proceeding and as to all disputes related to the 679 patent. A true copy of the Settlement Agreement is being filed concurrently herewith. *See* Exhibit 1086. The agreement contains confidential commercial and financial information of the Terminating Parties. AMD and ACS request that the Settlement Agreement be treated as business confidential information and be kept separate from the files of this proceeding and limited to "Board Only" access in accordance with 37 C.F.R. § 42.74(c). The Terminating Parties hereby represent that the document filed as Exhibit 1086 represents all agreements made in connection with, or in

contemplation of, the termination of this proceeding. All such agreements have been filed with the Board as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b).

Third, termination would save significant further expenditure of resources by the Terminating Parties. Termination upon settlement, as requested, would also further the purpose of *inter partes* review proceedings, which seek to provide an efficient and less costly alternative forum for patent disputes. Further, maintaining the proceeding would discourage further settlements, as patent owners in similar situations would have a strong disincentive to settle if they perceived that an IPR would continue regardless of a settlement.

IV. CONCLUSION

For the reasons stated herein, AMD and ACS jointly request termination of IPR2025-00914 as it relates to AMD.

Date: January 23, 2026

Respectfully submitted,

/s/ Brian E. Ferguson

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CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2026, I caused a true and correct copy of the foregoing to be served on the following counsel for Patent Owner by electronic mail to the following email addresses:

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