

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

DIALECT, LLC,
Patent Owner.

IPR2025-01229
Patent: 7,634,409

JOINT MOTION TO TERMINATE PRIOR TO INSTITUTION

EXHIBIT LIST

LIST OF NEWLY FILED EXHIBITS

Exhibits concurrently filed with Joint Motion To Terminate Prior To
Institution:

No.	Description
1046	Confidential Settlement Agreement dated November 30, 2025

LIST OF PREVIOUSLY FILED EXHIBITS

No.	Description
1001	U.S. Patent No. 7,634,409 (“ 409 patent ”)
1002	File History of U.S. Patent No. 7,634,409
1003	Declaration of Paul Jacobs, dated July 18, 2025 (“Jacobs”)
1004	Provisional U.S. Patent Application No. 60/712,412
1005	PCT Patent Application No. WO 2007/027989 A2 to Di Cristo et al.
1006	EP Patent Application No. 06814053.2 to Robert A. Kennewick
1007	Claim Comparison Chart Of ’409 Patent Claims 1-3 And 6 Against May 14, 2008, Amended Claims 9-11 And 14 of EP Application No. 06814053.2
1008	Bazzi, I., & Glass, J., <i>Heterogeneous Lexical Units For Automatic Speech Recognition: Preliminary Investigations</i> , Proc. of 2000 IEEE Int’l Conf. of Acoustics, Speech, and Signal Processing, 1257-1260 (2000) (“ Bazzi ”)
1009	Huang, X., et al., <i>Spoken Language Processing – A Guide to Theory, Algorithm, and System Development</i> , Prentice-Hall, Inc. Publ. (2001) (excerpts) (“ Huang ”)
1010	Jurafsky, D., & Martin, J., <i>Speech and Language Processing – An Introduction to Natural Language Processing, Computational</i>

No.	Description
	<i>Linguistics, and Speech Recognition</i> , Prentice-Hall, Inc. Publ. (2000) (excerpts) (“ Jurafsky ”)
1011	U.S. Patent No. 7,818,176 to Freeman et al. (“ 176 patent ”)
1012	Claim Construction Order, <i>VB Assets, LLC v. Amazon.com, Inc.</i> , No. 19-1410 (MN) (D. Del. June 23, 2021)
1013	Institution Decision, IPR2020-01390, Paper 7 (PTAB Mar. 11, 2021)
1014	Livescu, K. et al., <i>Subword Modeling for Automatic Speech Recognition: Past, Present, and Emerging Approaches</i> , IEEE Signal Proc. Mag. 29:6, 44-57 (2012)
1015	Schmandt, C., <i>Voice Communications With Computers</i> , Int’l Thomson Publ. (excerpts) (1994)
1016	Ostendorf, M., & Roukos, S., <i>A Stochastic Segment Model For Phoneme-Based Continuous Speech Recognition</i> , IEEE Transactions On Acoustics, Speech, And Signal Proc., 1857-1869, 37:12 (Dec. 1989)
1017	Ravishankar, M., <i>Efficient Algorithms for Speech Recognition</i> , Thesis, CMU-CS-96-143, Carnegie Mellon Univ. (May 15, 1996)
1018	Rabiner, L., & Juang, B., <i>Fundamentals of Speech Recognition</i> , Prentice-Hall, Inc. Publ. (1993) (excerpts)
1019	U.S. Patent No. 6,085,160 to D’hoore et al.
1020	U.S. Patent No. 6,154,722 to Jerome R. Bellegarda
1021	U.S Patent No. 7,146,319 to Melvyn J. Hunt
1022	U.S. Patent Application Pub. No. 2004/0186714 to James K. Baker
1023	U.S. Patent No. 5,806,032 to Richard William Sproat
1024	U.S. Patent No. 6,108,627 to Michael Sabourin (“ Sabourin ”)
1025	U.S. Patent Application Pub. No. 2005/0055209 A1 to Epstein et al. (“ Epstein ”)

No.	Description
1026	Schwartz, R., & Chow, Y., <i>The N-Best Algorithm: An Efficient And Exact Procedure For Finding The N Most Likely Sentence Hypotheses</i> , IEEE Int'l Conf. of Acoustics, Speech, and Signal Processing, 81-84 (1990)
1027	U.S. Patent No. 5,241,619 to Richard M. Schwartz
1028	Mohri, M., et al., <i>Weighted Finite-State Transducers In Speech Recognition</i> , Computer Speech and Language, 16, 69-88 (2002)
1029	Declaration of Gordon MacPherson, signed June 23, 2025
1030	Proceedings, 2000 IEEE Int'l Conference on Acoustics, Speech, and Signal Processing (June 2020) (excerpts)
1031	Appendix of Challenged Claims 1-3 and 6
1032	Email correspondence from Carrie A. Beyer to Garland Stephens, Richard Koehl and Heng Gong dated August 8, 2025 (" Sotera Plus Stipulation ")
1033	<i>End of Support For Cortana</i> , Microsoft, available at https://support.microsoft.com/en-us/topic/end-of-support-for-cortana-d025b39f-ee5b-4836-a954-0ab646ee1efa#:~:text=Cortana%20voice%20assistance%20in%20Windows,in%20the%20fall%20of%202023
1034	Chris Paoli, <i>Microsoft to Kill Cortana in Windows</i> , Redmond Magazine, June 5, 2023, available at https://redmondmag.com/articles/2023/06/05/microsoft-to-kill-cortana-in-windows.aspx
1035	<i>Cortana to Open up to New Devices and Developers With Corana Skills Kit and Cortana Devices SDK</i> , Windows Apps Team, Dec. 13, 2016, available at https://blogs.windows.com/windowsdeveloper/2016/12/13/cortana-skills-kit-cortana-devices-sdk-announcement
1036	Appendix H to the Complaint, <i>Dialect, LLC v. Microsoft Corp.</i> , Case 2:24-cv-01067-JRG (E.D. Tex. Dec. 20, 2024)

No.	Description
1037	Daniel B. Kline, <i>Is 2015 the Year Voice Assistants Take Over Your Home?</i> , The Motley Fool, Jan. 25, 2015, available at https://www.fool.com/investing/general/2015/01/25/is-2015-the-year-cortana-echo-and-siri-take-over-y.aspx
1038	Madeline Vuong, <i>VoiceBox and Samsung Announce Partnership for S Voice Technology</i> , GeekWire, Feb. 22, 2016, available at https://www.geekwire.com/2016/voicebox-and-samsung-announce-partnership-for-samsung-voice-services
1039	<i>Nuance and Microsoft Partner to Transform the Doctor-Patient Experience</i> , Microsoft Source, Oct. 17, 2019, available at https://news.microsoft.com/source/2019/10/17/nuance-and-microsoft-partner-to-transform-the-doctor-patient-experience
1040	Press Release, Microsoft Corp. and Nuance Communications, Inc., Microsoft Accelerates Industry Cloud Strategy for Healthcare with the Acquisition of Nuance, April 12, 2021, available at https://news.microsoft.com/source/2021/04/12/microsoft-accelerates-industry-cloud-strategy-for-healthcare-with-the-acquisition-of-nuance/
1041	Franchise Tax Account Status, Texas Comptroller of Public Accounts, available at https://comptroller.texas.gov/taxes/franchise/account-status/search/32083980899
1042	<i>A Study of Unpatentability Findings in Inter Partes Review (IPR) Final Written Decisions (FWDs)</i> , United States Patent and Trademark Office, Nov. 21, 2024, available at https://www.uspto.gov/sites/default/files/documents/ppac-aia-ipr-study-20241121.pdf
1043	U.S. District Court – Judicial Caseload Profile, available at https://www.uscourts.gov/sites/default/files/document/fcms_na_distprofile0630.2025.pdf

No.	Description
1044	Press Release, Microsoft Completes Acquisition of Nuance, Ushering in New Era of Outcomes-Based AI, March 4, 2022, available at https://news.microsoft.com/source/2022/03/04/microsoft-completes-acquisition-of-nuance-ushering-in-new-era-of-outcomes-based-ai/
1045	Complaint, <i>Dialect, LLC v. Microsoft Corp.</i> , Case 2:24-cv-01067-JRG (E.D. Tex. Dec. 20, 2024)

I. STATEMENT OF RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317; 37 C.F.R. §§ 42.72, 42.74; and authorization provided by the Board on December 1, 2025 (Exhibit 3102), Petitioner Microsoft Corporation (“Petitioner”) and Patent Owner Dialect LLC (“Patent Owner”) (collectively, the “Parties”) jointly move for termination of this *inter partes* review proceeding (IPR2025-01229, the “Proceeding”), prior to any institution decision and without prejudice to either Party.

The Parties have reached a settlement and are concurrently filing a true copy of their settlement agreement (Confidential Exhibit 1046) along with a request that it be kept separate and treated as “business confidential information” pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Prior to filing this motion, undersigned counsel for Petitioner obtained permission from undersigned counsel for Patent Owner to add his signature and file this motion and request jointly on behalf of the Parties.

II. JOINT MOTION FOR TERMINATION

Petitioner filed its petition for *inter partes* review on July 21, 2025 (Paper 2), and the Board issued a Notice of Filing Date Accorded on August 1, 2025 (Paper 3). Patent Owner did not file a preliminary response, the Parties have completed briefing on discretionary factors, and the Board has not yet issued a decision on institution.

On November 3, 2025, the Parties first informed the Board by email that they had reached an agreement in principle and were working to finalize the terms of that agreement. On November 30, 2025, the parties entered into a settlement agreement resolving their disputes regarding *inter alia* U.S. Patent Nos. 7,917,367, 8,620,659, 7,634,409, and 7,398,209, including an agreement to terminate this *inter partes* review. *See* Confidential Exhibit 1046. Upon finalizing the settlement agreement, the Parties promptly informed the Board on December 1, 2025, and sought permission to file this motion and a corresponding request to treat Confidential Exhibit 1046 as business confidential information. The Board authorized these filings in a responsive email on December 1, 2025. On December 3, 2025, the Parties filed a joint motion to dismiss with prejudice the district court case asserting the aforementioned patents. In view of the settlement agreement, there is no litigation contemplated between Patent Owner and Petitioner.

Termination of this Proceeding is appropriate because (i) all pending disputes between the Parties have been resolved by the settlement agreement; (ii) the Proceeding is at an early stage and the Board has not yet made an institution determination; and (iii) the Parties jointly make this motion and request under 35 U.S.C. § 317. *See* Patent Trial and Appeal Board Consolidated Trial Practice Guide (November 2019), page 86, Section II (N) (“There are strong public policy reasons to favor settlement between the parties to a 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. 35 U.S.C. §§ 317(a), 327.”). Here, the Proceeding is at an early stage, no institution decision has been reached, the deadline for institution will not arrive for approximately two months, and there has been no decision on the merits. There are no other petitioners to this inter partes review, and no final written decision on the merits has been entered.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true copy of the Parties’ settlement agreement (Confidential Exhibit 1046) is being filed concurrently with this motion and request. As discussed in the Parties’ concurrently filed Joint Request, the Parties request that Confidential Exhibit 1046 be treated as business confidential information. There are no other agreements or understandings, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the Proceeding.

III. CONCLUSION

For at least the above-noted reasons, termination is appropriate under 35 U.S.C. § 317 and 37 C.F.R. §§ 42.72 and 42.74, and the Parties jointly move the Board to terminate this IPR Proceeding.

As provided by 35 U.S.C. § 317(a) and 37 C.F.R. § 42.73(d), and because Patent Owner and Petitioner jointly request this termination, no estoppel under 35 U.S.C. § 315(e) shall attach to Petitioner.

Respectfully submitted,

Dated: December 5, 2025

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CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6 (e)(4)

The undersigned certifies that on December 5, 2025, a complete copy of the **JOINT MOTION TO TERMINATE PRIOR TO INSTITUTION** and **EXHIBIT 1046** were served on counsel for the Patent Owner via electronic mail as follows:

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