

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioners

v.

STERLING COMPUTERS CORPORATION,
Patent Owner.

IPR2025-01248

U.S. Patent No. 7,716,217

**PETITIONER’S MOTION TO DISMISS AND
TERMINATE THIS PROCEEDING**

Petitioner Meta Platforms, Inc. (“Meta” or “Petitioner”) submits this motion to dismiss and terminate IPR2025-01248 under 37 C.F.R. § 42.71(a).

The Board has discretion to “grant, deny, or dismiss any petition or motion.” 37 C.F.R. § 42.71(a). Petitioner filed this petition and joinder motion contingent on the Board not instituting IPR2025-00430. The Board has now instituted that IPR. Because the contingency has not been met, Petitioner no longer seeks to continue this proceeding.

Termination will achieve a just, speedy, and inexpensive resolution of the dispute. The Board has yet to consider or issue any final decision; preservation of resources would be real and substantial for the Board and the parties.

I. ARGUMENT

Good cause exists to dismiss Meta’s voluntarily withdrawn petition and to terminate this proceeding. Meta does not wish to spend additional resources on this proceeding.

The Board has broad authority to terminate a petition under 37 C.F.R. §§ 42.71(a) and 42.5(a). *See Facebook, Inc. v. EveryMD.com*, IPR2018-00050, Paper 19 at 4 (P.T.A.B. Oct. 9, 2018) (“[T]he regulations expressly provide the Board with broad authority to dismiss a petition where appropriate” and dismissing, among other reasons, since it was an “inefficient use of the Boards resources,” petitioner requested termination, and the proceedings were “at a relatively early stage”); *see*

also *Samsung Elecs. Co. v. NVIDIA Corp.*, IPR2015-01270, Paper 11 at 3–4 (P.T.A.B. Dec. 9, 2015) (noting that “the rules do not expressly preclude termination ... during the preliminary proceedings” and dismissing because the case was “at [an] early juncture” and “to promote efficiency and minimize unnecessary costs”). As with the Board’s many prior decisions, the facts here warrant dismissal, at least to reduce the parties’ expenses, conserve Board resources, and promote efficiency.

Meta is not aware of any example wherein the Board found that it could not—or would not—terminate a proceeding under the present circumstances. In the few cases where the Board has denied a petitioner’s request for termination, the Board has repeatedly attributed the advanced stage of the proceeding as weighing against termination. *See, e.g., Blackberry Corp. et al. v. MobileMedia Ideas LLC*, IPR2013- 00016, Paper 31 at 3 (Dec. 11, 2013) (denying motion to terminate due to the advanced stage of the proceeding where “issues had been fully briefed at the time the parties moved to terminate the proceeding”). That is not the case here; this case has not been instituted, and accordingly, Meta’s request for dismissal and termination of the proceedings is early, voluntary, and consistent with precedent. Patent Owner does not oppose termination.

The Board should terminate this proceeding. Termination would save the Board and the parties the time and resources needed to take IPR2025-01248 through institution and then final written decision.

II. CONCLUSION

The Board should allow the withdrawal of the Petition and terminate IPR2025-01248.

Date: September 15, 2025

Respectfully submitted,

/ Jessica Kaiser /

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CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of **PETITIONER'S MOTION TO DISMISS AND TERMINATE THIS PROCEEDING** were served electronically on September 15, 2025, in their entirety on the following counsel of record for Petitioner:

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Respectfully submitted,

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Date: September 15, 2025