IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS AMERICA, INC.,

SAMSUNG ELECTRONICS CO., LTD.,

Petitioners,

v.

RADIAN MEMORY SYSTEMS, LLC,

Patent Owner.

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Case No. IPR2025-01321

U.S. Patent No. 11,709,772

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JOINT MOTION TO TERMINATE
UNDER 35 U.S.C. § 317(a) and 37 C.F.R. § 42.71(a)

Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74, and the Board's authorization received on November 7, 2025, Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd. ("Petitioners") and Radian Memory Systems, LLC ("Patent Owner") jointly move to terminate IPR2025-01321.

I. LEGAL STANDARD

Section 317(a) provides that "[a]n inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed." 35 U.S.C. § 317(a). "The Board may terminate a trial without rendering a final written decision, where appropriate, including … pursuant to a joint request under 35 U.S.C. 317(a)." 37 C.F.R. § 42.72. The Consolidated Trial Practice Guide provides that "[a] petitioner and a patent owner may terminate the proceeding with respect to the petitioner by filing a written agreement with the Board, unless the Board has already decided the merits of the proceeding before the request for termination is filed." Patent Trial and Appeal Board Consolidated Trial Practice Guide, Nov. 19 at 4.

II. FACTUAL BACKGROUND

Petitioners filed a Petition requesting inter partes review of the '772 patent on July 17, 2025. *See* Paper 3. Petitioners and Patent Owner have since entered into a written, confidential settlement agreement that fully resolves this matter (the

"Settlement Agreement"), subject to the Board's approval. A true and correct copy of the Settlement Agreement is filed concurrently with this joint motion as Exhibit 1014, along with a joint request to treat the Settlement Agreement as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Previously, in November 2025, Petitioners and Patent Owner entered into a written, confidential, binding term sheet (the "Term Sheet"). A true and correct copy of the Term Sheet is filed concurrently with this joint motion as Exhibit 1015, along with a joint request to treat the Term Sheet as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

There are no collateral agreements or understandings (oral or written) in connection with, or in contemplation of, the termination of this proceeding. It is understood that the confidential Settlement Agreement, as filed, shall be available only to a Government agency on written request to the Board or as otherwise specified in 37 C.F.R. § 42.74(c). The parties represent that they have complied with all requirements of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b).

III. ARGUMENT

Public policy favors terminating the present *inter partes* review proceeding. The Board's Trial Practice Guide expresses a strong interest in encouraging settlement of legal disputes. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 46768 (Aug. 14, 2012) ("There are strong public policy reasons to favor

settlement between the parties to a proceeding."). Both parties agree that their dispute is settled and that the Petition for IPR should thus be terminated.

Termination of the Petition is appropriate here because the proceeding is at an early stage. The Board has yet to even issue an Institution Decision. Terminating the IPR "at this early juncture, promotes efficiency and minimizes unnecessary costs." *Sony Corp. v. Straight Path IP Group Inc*., IPR2014-00230, Paper 13, at 3 (PTAB May 2, 2013). Efficiency and the interest of justice are best served by termination because it would reduce the parties' expenses and conserve the Board's limited resources. The USPTO can conserve the resources it would need to allocate for further considering the parties' arguments and rendering an Institution Decision and Final Written Decision. *See, e.g.,* Patent Trial and Appeal Board Consolidated Trial Practice Guide, Nov. 19 at 86.

IV. CONCLUSION

For these reasons, the parties respectfully request that the Board grant this joint motion to terminate this proceeding.

Date: December 19, 2025

Respectfully submitted,

By: */s/ James M. Glass*

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, I hereby certify that on December 19, 2025 the foregoing paper was served via email on the following counsel of record for Patent Owner via electronic mail at Radian_IPRs@lowensteinweatherwax.com:

Parham Hendifar
Kenneth J. Weatherwax
Xu Zhou

Date: December 19, 2025

By: */s/ James M. Glass*

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