

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISNEY ENTERTAINMENT & SPORTS LLC,
Petitioner

v.

ADEIA TECHNOLOGIES INC.,
Patent Owner.

Case No. IPR2026-00053
U.S. Patent No. 9,235,428

**UNOPPOSED MOTION TO
DISMISS THE PROCEEDING PRE-INSTITUTION**

Pursuant to 37 C.F.R. § 42.71(a), Disney Entertainment & Sports LLC (“Petitioner”) moves for dismissal and termination of the *inter partes* review of U.S. Patent No. 9,235,428 (“the ’428 Patent”) in the above-captioned Case No. IPR2026-00053. Adeia Technologies Inc. (“Patent Owner”) does not oppose Petitioner’s motion to dismiss and terminate the proceeding. This motion was authorized by the Board pursuant to its e-mail dated December 23, 2025. *See* Ex-3101.

Petitioner filed its petition for *inter partes* review of the ’428 Patent on November 7, 2025 (Paper 2). The POPR deadline is February 20, 2026 and no POPR has yet been filed. The institution deadline is May 20, 2026, approximately 5 months from now. Disney no longer seeks to pursue IPR2026-00053.

The Board has discretion to “grant, deny, or dismiss any petition or motion,” and to “enter any appropriate order.” 37 C.F.R. § 42.71(a). Petitioner respectfully requests that the Board dismiss the petition and terminate the proceeding for the good cause shown herein. Specifically, this proceeding is in a preliminary stage, prior to institution. No proceeding has been initiated, and termination will achieve a just, speedy, and inexpensive resolution of the dispute. The Board has yet to issue any decision, much less a decision on institution and preservation of resources would be real and substantial.

When determining whether termination is appropriate, the Board has primarily looked at what stage of the proceedings the request is made and has repeatedly granted preinstitution termination. *See, e.g., Chengdu Kanghong Biotechnology Co., Ltd. v. Regeneron Pharms., Inc.*, IPR2021-00402, Paper 8 at 2 (PTAB June 25, 2021) (“As Petitioner correctly asserts, these cases are in the preliminary proceeding stage, and a decision whether to institute trial has not been entered. Under the circumstances, we determine that it is appropriate, in each proceeding, to grant Petitioner’s unopposed motion to dismiss the petition and to terminate the proceeding.”); *Staylinked Corp. v. Invanti, Inc.*, IPR2021-00022, Paper 10 at 2 (PTAB Feb. 4, 2021) (“This proceeding is at an early stage, and few resources have been expended by the Board in this proceeding. Under these circumstances, we are persuaded that it is appropriate to dismiss the Petition and terminate the proceeding to promote efficiency and minimize unnecessary costs.”). As with the Board’s many prior decisions, the facts here warrant dismissal and termination, at least to reduce the parties’ expenses, conserve Board resources, and promote efficiency.

Dated: December 24, 2025

Respectfully submitted,

/s/ William M. Fink

William M. Fink, Reg. No. 72,332

O'Melveny & Myers LLP

1625 I Street NW

Washington, D.C. 20006

Telephone: (202) 383-5300

E-Mail: tfink@omm.com

Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on December 24, 2025, I caused a true and correct copy of the foregoing UNOPPOSED MOTION TO DISMISS THE PROCEEDING PRE-INSTITUTION was served in its entirety by filing these documents through the PTAB P-TACTS System, as well as by email, on the counsel of record for the Patent Owner:

Kenneth J. Weatherwax, Lead Counsel
LOWENSTEIN & WEATHERWAX LLP
1016 Pico Blvd, Santa Monica, CA 90405
Telephone: (310) 307-4503
Facsimile: (310) 307-4509
Email: weatherwax@lowensteinweatherwax.com
Email: Adeia_IPRs@lowensteinweatherwax.com

Parham Hendifar, First Back-Up Counsel
LOWENSTEIN & WEATHERWAX LLP
1016 Pico Blvd., Santa Monica, CA 90405
Telephone: (310) 307-4514
Facsimile: (310) 307-4509
Email: hendifar@lowensteinweatherwax.com
Email: Adeia_IPRs@lowensteinweatherwax.com

Dated: December 24, 2025

Respectfully submitted,

/s/ William M. Fink

William M. Fink, Reg. No. 72,332
O'Melveny & Myers LLP
1625 I Street NW
Washington, D.C. 20006
Telephone: (202) 383-5300
E-Mail: tfink@omm.com
Attorney for Petitioner