

Paper No. _____
Date: February 5, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KIOSOFT TECHNOLOGIES, LLC and TECHTREX, INC.,
Petitioners,

v.

PAYRANGE INC.,
Patent Owner.

Case No. PGR2023-00050
Patent No. 11,501,296

JOINT MOTION TO DISMISS POST-GRANT REVIEW

PATENT OWNER'S UPDATED EXHIBIT LIST

EXHIBIT NO.	DESCRIPTION
2001	KioSoft Complaint, <i>PayRange Inc. v. KioSoft Techs., LLC</i> , No. 1:20-cv-20970 (S.D. Fla. Mar. 3, 2020), Doc. No. 1.
2002	KioSoft Complaint, <i>PayRange Inc. v. KioSoft Techs., LLC</i> , No. 1:20-cv-24342 (S.D. Fla. Oct. 21, 2020), Doc. No. 1.
2003	Amended KioSoft Complaint, <i>PayRange Inc. v. KioSoft Techs., LLC</i> , No. 1:20-cv-24342 (S.D. Fla. Jan. 15, 2021), Doc. No. 17.
2004	Second Amended KioSoft Complaint, <i>PayRange Inc. v. KioSoft Techs., LLC</i> , No. 1:20-cv-24342 (S.D. Fla. Jan. 31, 2021), Doc. No. 142.
2005	Order Granting in Part and Denying in Part Partial Summary Judgment, <i>PayRange Inc. v. KioSoft Techs., LLC</i> , No. 1:20-cv-20970 (S.D. Fla. June 8, 2023), Doc. No. 335.
2006	Statutory Disclaimer filed in U.S. Patent 11,501,296, on December 20, 2023.
2007	Prosecution History of U.S. Patent No. 10,891,614.
2008	Confidential Settlement Agreement

Pursuant to 35 U.S.C. §327 and 37 C.F.R §42.74, and as authorized by the Board in its email dated January 31, 2024, Petitioners KioSoft Technologies, LLC and TechTrex, Inc. (“Petitioners”) and Patent Owner PayRange Inc. (“Patent Owner”) jointly move for dismissal of the petition in this proceeding.

I. CERTIFICATION

Petitioners and Patent Owner submit with this motion a true copy of any agreement or understanding (EX2008) between Petitioners and Patent Owner made in connection with, or in contemplation of, the termination of the proceeding under 37 CFR §42.74(b). The parties certify that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of this proceeding.

II. STATUS OF RELATED PROCEEDINGS

Petitioners and Patent Owner have resolved their disputes regarding the ’296 patent and do not anticipate further litigation between them concerning this patent.

III. RELIEF REQUESTED

As authorized by the Board, the parties are jointly and contemporaneously filing: (i) this joint motion to dismiss the proceeding; (ii) a true copy of any agreement or understanding (EX2008) between Petitioners and Patent Owner made in connection with, or in contemplation of, the requested termination; and (iii) a joint request to treat the agreement as business confidential information and keep

the agreement (EX2008) separate from the file of the involved patent, pursuant to 37 C.F.R. §42.74(c).

Petitioners and Patent Owner jointly request that the Board dismiss the petition and terminate this proceeding in its entirety. Termination is appropriate at this stage and in view of a settlement between Petitioners and Patent Owner. *See* 37 C.F.R. §42.71(a) (“The Board ... may grant, deny, or dismiss any petition”); *see also RSPCT Basketball Tech., Ltd. v. Pillar Vision, Inc.*, IPR2021-00006, Paper 8 (PTAB Jan. 5, 2021); *Palo Alto Networks, Inc. v. Proven Networks, LLC*, IPR2021-00596, Paper 8 (PTAB Aug. 10, 2021) (terminating the proceeding and dismissing the petition in view of settlement prior to issuance of institution decision). Good cause exists to terminate this proceeding because (1) Petitioners and Patent Owner have resolved their disputes regarding the ’296 patent; (2) this proceeding is still at an early stage because the Office has not yet decided whether to institute trial; and (3) terminating the proceeding now would thus serve the interests of preservation of Board resources as well as the mutual interest of the parties.

Respectfully submitted,

Date: February 5, 2024

/Safet Metjahic/
Safet Metjahic (Reg. 58,677)
Attorney for Petitioners

Date: February 5, 2024

/Matthew A. Argenti/
Matthew A. Argenti (Reg. No. 61,836)
Attorney for Patent Owner

CERTIFICATE OF COMPLIANCE

This paper complies with the page limitation of 15 pages, excluding the parts exempted by 37 C.F.R. §42.24. This paper complies with the general format requirements of 37 C.F.R. §42.6 and has been prepared using Microsoft® Word 2016 in 14-point Times New Roman.

Respectfully submitted,

Date: February 5, 2024

/Matthew A. Argenti/
Matthew A. Argenti (Reg. No. 61,836)
Attorney for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing JOINT MOTION TO DISMISS POST-GRANT REVIEW and Exhibit 2008 were served on February 5, 2024, on Petitioners at the electronic correspondence addresses of Petitioners as follows:

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Respectfully submitted,

Date: February 5, 2024

/Matthew A. Argenti/
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