

DOCKET NO.: 0082088-00003

Filed on behalf of Cimbria SRL

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Cimbria Srl
Petitioner

v.

3U Vision SRL
Patent Owner

PGR2024-00018
Patent 11,666,947

**JOINT MOTION TO TERMINATE
POST GRANT REVIEW OF U.S. PATENT 11,666,947
UNDER 37 C.F.R § 42.7**

Pursuant to 37 C.F.R. § 42.72, Petitioner Cimbria SRL (“Petitioner”) and Patent Owner 3U Vision SRL (“Patent Owner”) jointly request dismissal and termination of the Post Grant Review (PGR) proceedings of U.S. Patent No. 11,666,947 in PGR2024-00018. Petitioner and Patent Owner have entered into a written confidential settlement agreement that fully resolves this matter. The Parties are concurrently filing a copy of the settlement agreement as Exhibit 1018 and an English translation of the settlement agreement as Exhibit 1019 along with a request to treat them as confidential business information pursuant to 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74. The undersigned represents that there are no other agreements, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the present proceeding and that Exhibits 1018 and 1019 represent a true and accurate copy of the agreement between the Parties that resolves the present proceeding.

On March 4, 2025, the Parties informed the Board of the settlement via email and by email on March 6, 2025 the Board granted authorization to file a joint motion to terminate the petition with respect to both the Patent Owner and the Petitioner and a joint motion to keep the settlement agreement confidential and separate from the file of U.S. Patent 11,666,947. Accordingly, Petitioner and Patent Owner jointly request termination of the present proceeding.

Public policy favors terminating the present PGR proceedings. Congress and federal courts have expressed a strong interest in encouraging settlement in litigation. See, e.g., *Delta Air Lines, Inc. v. August*, 450 U.S. 346, 352 (1981) (“The purpose of [Fed. R. Civ. P.] 68 is to encourage the settlement of litigation.”); *Bergh v. Dept. of Transp.*, 794 F.2d 1575, 1577 (Fed. Cir. 1986) (“The law favors settlement of cases.”), cert. denied, 479 U.S. 950 (1986). The Federal Circuit places a particularly strong emphasis on settlement. See *Cheyenne River Sioux Tribe v. U.S.*, 806 F.2d 1046, 1050 (Fed. Cir. 1986) (noting that the law favors settlement to reduce antagonism and hostility between parties). The Board’s Trial Practice Guide stresses that “[t]here are strong public policy reasons to favor settlement between the parties to a proceeding.” Trial Practice Guide at 86. Ending this PGR proceeding early promotes the Congressional goal of establishing a more efficient patent system by limiting unnecessary and counterproductive costs.

Permitting termination provides certainty and fosters an environment that promotes settlements, creating a timely, cost-effective alternative to litigation. Additionally, termination of this PGR proceeding is appropriate as the Board has not yet decided the merits of the proceeding and is nowhere close to doing so. See Trial Practice Guide at 86 (“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”).

Petitioner filed its petition for PGR on February 26, 2024; the Board issued a notice of filing date accorded on March 25, 2024; Patent Owner filed its power of attorney and mandatory notice on April 15, 2024; and the Board issued an institution decision granting institution of Post Grant Review on September 20, 2024. No other substantive papers have been filed. The Parties have now settled their dispute and reached agreement to terminate this proceeding. Additionally, there are no other pending USPTO proceedings regarding the patent-at-issue and no open district court matters. The USPTO can conserve its resources through terminating now, removing the need for the Board to further consider the arguments and to render a Final Decision.

Therefore, the Parties respectfully request termination of this Post Grant Review of U.S. Patent 11,666,947.

Respectfully Submitted,

/Brett C. Booth/

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CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2025, I will cause a true and correct copy of the foregoing materials:

- Joint Motion to Terminate Post Grant Review of U.S. Patent 11,666,947
Under 37 C.F.R. § 42.7

To be served via email to Patent Owner's counsel at patents@friedpat.com.

/Brett C. Booth/
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