

Date: April 10, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BE SMARTER, LLC AND JAMES GUERRA,
Petitioners,

v.

YONDR, INC.,
Patent Owner

Case No. PGR2025-00070
US Patent No. 12,133,078 B2

**JOINT MOTION TO TERMINATE
POST GRANT REVIEW OF U.S. PATENT NO. 12,133,078
UNDER 35 U.S.C. § 327(a) AND 37 C.F.R. § 42.72**

Pursuant to 35 U.S.C. § 327(a) and 37 C.F.R. § 42.72, Petitioners and Patent Owner jointly move to terminate the Post Grant Review of U.S. Patent No. 12,133,078 (“’078 Patent”) (“Joint Motion to Terminate”). Petitioners and Patent Owner have entered into a written settlement agreement fully resolving their disputes regarding the ’078 Patent, including in this proceeding, and Patent Owner’s assertion of the ’078 Patent in the related district court litigation, *Yondr Inc v. Be Smarter LLC and James Guerra*, Case No. 1:24-cv-01326-ADA (W.D. Tex.). A copy of the settlement agreement is submitted herewith as **Exhibit 2030**. The undersigned represent 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.

On April 7, 2026, the parties informed the Board of the settlement via email and requested authorization to file the Joint Motion to Terminate. In an e-mail dated April 7, 2026, the Board authorized the filing of these motions. Under 35 U.S.C. § 327(a), “a post-grant review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” Likewise, 37 C.F.R. § 42.72 states that the “Board may terminate a trial without rendering a final written decision ... pursuant to a joint request under 35 U.S.C. 317(a) or 327(a).” “There are strong public policy reasons

to favor settlement between the parties to a proceeding... 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.” Patent Trial and Appeal Board Consolidate Trial Practice Guide, November 2019, page 86.

The Board has not rendered a final decision deciding the merits of this proceeding, and there are no other pending Patent Office proceedings regarding the ’078 Patent. In view of the foregoing, Petitioners and Patent Owner respectfully request termination of the Post Grant Review of U.S. Patent No. 12,133,078.

Date: April 10, 2026

Respectfully Submitted,

/Rhett Ramsey/

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CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Petitioner, a true and correct copy of the **JOINT MOTION TO TERMINATE POST GRANT REVIEW OF U.S. PATENT NO. 12,133,078 UNDER 35 U.S.C. § 327(a) AND 37 C.F.R. § 42.72 and EXHIBIT 2030** is being served electronically on April 10, 2026, to the e-mail addresses shown below:

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Dated: April 10, 2026

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