

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CYPRESS SEMICONDUCTOR CORP. and STMICROELECTRONICS, INC.,
Petitioners,

v.

NEODRON LTD.
Patent Owner.

Case IPR2021-01128
Patent No. 8,432,173

JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

Patent Owner Neodron Ltd. and Petitioners Cypress Semiconductor Corporation and STMicroelectronics, Inc. have reached a settlement. Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the parties jointly request termination of the *inter partes* review of U.S. Patent No. 8,732,173 (“Patent-in-Suit”), Case IPR2021-01128. The parties were authorized to file this Joint Motion by the Board (via email) on December 23, 2021.

As required under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), true copies of the settlement agreements that resolve the disputes in the above-captioned *inter partes* review relating to the Patent-in-Suit are filed herewith as exhibits. There are

no other collateral agreements between the parties made in connection with, or in contemplation of, the termination sought.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Patent Owner and Petitioners are concurrently filing a Joint Request to Keep Separate, which asks the Board to treat the settlement agreements as business confidential information, and to keep them separate from the files of this proceeding and the files of the Patent-in-Suit.

I. Statement of Precise Relief Requested

The parties jointly request that the Board terminate this *inter partes* review of the Patent-in-Suit, in its entirety.

II. Reasons Why Termination Is Appropriate

Termination of this proceeding with respect to all parties is proper. This *inter partes* review is still in an early stage. This Petition was accorded the filing date of June 16, 2021.

Under 35 U.S.C. § 317(a), an *inter partes* 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. Because all parties request termination and the Board has not yet decided the merits of the proceeding, the Board should terminate the proceeding.

When there are no petitioners remaining in an *inter partes* review, the Board may terminate the proceeding entirely. 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. Petitioners are the only petitioners in this *inter partes* review. Petitioners support termination of this proceeding. With no petitioner remaining in the proceeding and no final written decision on the merits, termination of this proceeding entirely is appropriate.

The lawsuits between Patent Owner and Petitioners, involving the Patent-in-Suit have been dismissed. The parties do not contemplate any litigation or proceeding involving the Patent-in-Suit in the foreseeable future.

III. No Future Participation by Petitioner

Patent Owner and Petitioners will not be participating further in this proceeding.

IV. Conclusion

The parties have settled all disputes relating to the Patent-in-Suit. This *inter partes* review is in an early stage, and the Board has not entered a final written decision on the merits in this proceeding. Accordingly, the parties respectfully request the Board to terminate this proceeding in its entirety.

Respectfully submitted,

Dated: December 23, 2021

/ Reza Mirzaie/
Reza Mirzaie, Reg. No. 69,138

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on December 23, 2021, by filing this document through the Patent Review Processing System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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Date: December 23, 2021

/ Reza Mirzaie/

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