

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

**META PLATFORMS, INC.**  
Petitioner

v.

**THALES VISIONIX, INC.**  
Patent Owner

**U.S. PATENT NO. 6,922,632**

IPR2022-01305

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**JOINT MOTION TO TERMINATE PROCEEDING  
PURSUANT TO 35 U.S.C. § 317(a)**

Petitioner Meta Platforms, Inc. (“Petitioner”) and patent owner Thales Visionix, Inc. (“Patent Owner”) (collectively, the “Parties”) jointly request to terminate IPR2022-01305 under 35 U.S.C. § 317(a). The Board authorized the filing of this motion on January 16, 2024.

## **I. BACKGROUND**

A joint motion to terminate generally must “(1) include a brief explanation as to why termination is appropriate; (2) identify all parties in any related litigation involving the patents at issue; (3) identify any related proceedings currently before the Office; and (4) discuss specifically the current status of each such related litigation or proceeding with respect to each party to the litigation or proceeding.” *Heartland Tanning, Inc. v. Sunless, Inc.*, IPR2014-00018, Paper 26 at 2 (P.T.A.B. July 28, 2014). Each of these background issues is discussed below in turn.

### **(1) Brief Explanation**

Real party-in-interest Gentex Corporation (“Gentex”), which was the exclusive licensee of the patent at issue in this proceeding within certain relevant fields of use, and Petitioner have entered into a Patent License And Settlement Agreement (the “Meta-Gentex Agreement”).<sup>1</sup>

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<sup>1</sup> The Parties are filing the Meta-Gentex Agreement concurrently with this joint motion as Exhibit 1042, along with a “Joint Request to File Document as Business Confidential Information.” See Exhibit 1042. Petitioner’s Updated

Patent Owner is not a party to the Meta-Gentex Agreement. Patent Owner disputes the enforceability of a Term Sheet mentioned and referenced in the Meta-Gentex Agreement, while Petitioner contends that the Term Sheet is enforceable and binding on Patent Owner. However, this dispute is not pertinent to this IPR and should not affect its termination.

Patent Owner and Petitioner both believe that this proceeding should be terminated. No Final Written Decision is expected in this proceeding for approximately two more months.

## **(2) Related Litigation**

Gentex and Indigo Technologies, LLC (collectively, the “Voluntary Plaintiffs”) asserted the patent at issue in this proceeding in *Gentex Corporation et al. v. Meta Platforms, Inc. et al.*, No. 6:21-cv-00755-ADA (W.D. Tex.), which was transferred to the Northern District of California, No. 4:22-cv-03892-YGR. Patent Owner was named as an involuntary plaintiff in that proceeding. On January 12, 2024, the Voluntary Plaintiffs and Petitioner filed a joint motion to dismiss this district court litigation.

There are no other litigations pending related to the patent at issue in this proceeding.

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Exhibit List, which includes this document, is appended as Appendix A to this document.

**(3) Related Proceedings Before the Office**

The following IPRs between the same Parties have also been instituted and relate to patents that were also asserted in the same district court litigation referenced above: IPR2022-01294, IPR2022-01298, IPR2022-01301, IPR2022-01302, IPR2022-01303, IPR2022-01304, and IPR2022-01308.

**(4) Status of Related Litigation and Proceedings Before the Office**

As noted above, the Voluntary Plaintiffs and Petitioner have filed a joint motion to dismiss the district court litigation.

The Parties are jointly moving to terminate all of the IPRs referenced above.

**II. STATEMENT OF RELIEF REQUESTED**

Under § 317(a), an *inter partes* review “**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.” The Parties jointly request termination of this IPR2022-01305, and the Office has not decided the merits of this IPR proceeding. There are no other preconditions of § 317(a). Therefore, the Parties have met the statutory requirement to terminate the proceeding before the Office has decided the merits of the proceeding, and good cause exists to terminate this proceeding. *See* 35 U.S.C. § 317(a).

### III. CONCLUSION

For these reasons, the Parties respectfully request termination of this IPR.

Date: January 17, 2024

Respectfully submitted,

/W. Todd Baker/

W. Todd Baker (No. 45,265)  
todd.baker@kirkland.com  
KIRKLAND & ELLIS LLP  
1301 Pennsylvania Ave., N.W.  
Washington, D.C. 20004  
Telephone: (202) 389-5000  
Facsimile: (202) 389-5200

Ellisen Shelton Turner (No. 54,503)  
ellisen.turner@kirkland.com  
Joshua Popik Glucoft (No. 67,696)  
josh.glucoft@kirkland.com  
KIRKLAND & ELLIS LLP  
2049 Century Park East,  
Los Angeles, CA 90067  
Telephone: (310) 552-4200  
Facsimile: (310) 552-5900

Akshay S. Deoras (*pro hac vice*)  
akshay.deoras@kirkland.com  
KIRKLAND & ELLIS LLP  
555 California Street  
San Francisco, CA 94104  
Telephone: (415) 439-1400  
Facsimile: (415) 439-1500

Yimeng Dou (No. 69,770)  
yimeng.dou@kirkland.com  
KIRKLAND & ELLIS LLP  
555 South Flower Street, Suite 3700  
Los Angeles, CA 90071

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