

Case IPR2023-00120  
U.S. Patent No. 10,154,092

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,  
Petitioner,

v.

LS CLOUD STORAGE TECHNOLOGIES LLC,  
Patent Owner.

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Case IPR2023-00120  
U.S. Patent No. 10,154,092

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**PARTIES' JOINT MOTION TO TERMINATE PROCEEDING  
PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.74  
&  
JOINT REQUEST TO TREAT SETTLEMENT AND LICENSE AGREEMENT  
AS BUSINESS CONFIDENTIAL INFORMATION TO BE KEPT SEPARATE  
PURSUANT TO 35 U.S.C. § 317(b)**

## **I. STATEMENT OF RELIEF REQUESTED**

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74 and as authorized by the Board on November 27, 2023, Petitioner Google LLC and Patent Owner LS Cloud Storage Technologies LLC (collectively, the “Parties”) jointly request termination of this proceeding, IPR2023-00120, directed to U.S. Patent No. 10,154,092.

## **II. STATUS OF RELATED PROCEEDINGS**

The Parties have settled their dispute regarding U.S. Patent No. 10,154,092, including both this proceeding and Patent Owner’s assertion of U.S. Patent No. 10,154,092 in the related district court litigation, *LS Cloud Technologies LLC v. Google LLC*, Case No. 1:22-cv-853-RP (W.D. Tex.). The following related proceedings are currently before the Board, which the Parties are concurrently filing a joint motion to terminate: IPR2023-00777.

## **III. CERTIFICATION**

As required by 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, the Parties submit a true copy of the Settlement and License Agreement with this joint motion, subject to the request to treat as business confidential below.

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 the proceeding. *See* 35 U.S.C. § 317(a).

#### **IV. GOOD CAUSE**

Good cause exists to terminate this proceeding because the Parties have settled their dispute regarding the U.S. Patent No. 10,154,092 and the Parties have not completed briefing according to the Scheduling Order (Paper 8). *See* Consolidated Trial Practice Guide “TPG” at 86 (November 2019) (“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.” Terminating the proceeding now is thus appropriate and would serve the interests of judicial economy as well as the mutual interest of the Parties.

#### **V. REQUEST TO TREAT AS BUSINESS CONFIDENTIAL**

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, the Parties jointly request to treat the Settlement and License Agreement (Ex. 1019) between Patent Owner and Petitioner as Business Confidential Information that shall be kept separate from the file from the involved patent and to be made available only to Federal Government agencies on written request or to persons showing good cause. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

#### **VI. CONCLUSION**

The Parties have settled all disputes related to U.S. Patent No. 10,154,092. Briefing is ongoing and the Board has not entered a Final Written Decision on the

merits. Accordingly, the Parties jointly request termination of IPR2023-00120 in its entirety and the Board treat the Settlement and License Agreement as Business Confidential information and keep it separate from the patent file.

Date: November 28, 2023

Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned hereby confirms that the foregoing **Joint Motion to Terminate Proceeding** was caused to be served on November 28, 2023 via email upon the following counsel of record for Patent Owner:

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Respectfully submitted,

/Minghui Yang/

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Date: November 28, 2023