

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC. and SONY GROUP CORPORATION,
Petitioners

v.

SIONYX, LLC,
Patent Owner

Inter Partes Review Case No. IPR2025-00845
U.S. Patent No. 10,224,359

MOTION TO WITHDRAW PETITION FOR *INTER PARTES* REVIEW

I. INTRODUCTION

Pursuant to 37 C.F.R. §§ 42.71(a) 42.72 and the Board’s authorization by email dated June 9, 2025, Petitioners Apple Inc. and Sony Group Corporation (“Petitioners”) move to withdraw their Petition for *Inter Partes* Review concerning U.S. Patent No. 10,224,359 (“the ’359 Patent”) and thereby terminate IPR2025-00845 pre-institution. Patent Owner, SiOnyx, LLC, does not oppose this Motion. Withdrawal of the Petition for IPR will preserve the resources of the Board and the parties.

II. STATEMENT OF FACTS

On September 12, 2024, SiOnyx asserted the ’359 Patent against Apple in the action entitled *SiOnyx, LLC v. Apple Inc.*, No. 1:24-cv-12354 (D. Mass. Sept. 12, 2024) (the “Litigation”). In response, Petitioners filed the instant petition for *inter partes* review challenging claims 1-83 of the ’359 Patent, which was accorded a filing date of April 16, 2025. *Apple Inc. v. SiOnyx, LLC*, IPR2025-00845, Paper 6 (P.T.A.B. May 21, 2025).

On May 27, 2025, the District Court granted Petitioners’ motion to dismiss, thereby terminating the Litigation. As of the date of this Motion, Patent Owner has yet to file its Patent Owner’s Preliminary Response (“POPR”) or any discretionary denial briefing, and the Board has not rendered a decision on institution. Patent

Owner confirmed that it does not oppose the withdrawal of the Petition in IPR2025-00845.

Additionally, Petitioners have simultaneously filed similarly unopposed motions to withdraw in *Inter Partes* Review No. IPR2025-00811 of U.S. Patent No. 9,064,764 and *Inter Partes* Review No. IPR2025-00689 of U.S. Patent No. 11,721,714.

III. ARGUMENT

Good cause exists to grant Petitioners' Motion pursuant to 37 C.F.R. §§ 42.71(a) and 42.72. IPR2025-00845 remains at the earliest procedural stage: Patent Owner has not submitted a POPR or any discretionary denial briefing, and the Board has not reached a decision on institution. This IPR remains in its infancy, as the deadline for Patent Owner to file its POPR is not until August 21, 2025. Notably, Patent Owner does not oppose this Motion to withdraw the Petition.

As the Board has recognized, early termination by petition withdrawal—particularly when unopposed—promotes efficiency and substantially conserves the Board's and parties' resources. *Reolink Digital Technology Co., Ltd. v. KT Imaging USA, LLD*, IPR2024-01154, Paper 6, 2 (P.T.A.B. Sep. 23, 2024) (“determin[ing] that it is appropriate to grant Petitioner's Motion to withdraw the Petitions and terminate the proceedings” where “Patent Owner ... does not oppose the withdrawal of the Petition” and “proceeding[s] are in their preliminary stages,

and no decisions on whether to institute *inter partes* review have been made.”); *see also DirectTV, LLC v. Entropic Communications, LLC*, IPR2024-01063, Paper 8, 2-3 (P.T.A.B. Oct. 17, 2024).

Further, termination of the instant IPR is appropriate because all pending disputes between the parties concerning the '359 Patent have been resolved in the district court litigation, and the concurrent litigation has been dismissed. (Ex. 1083). Under such circumstances, withdrawal serves the interests of the parties and the Board and furthers the objectives of 37 C.F.R. § 42.1(b) in “secur[ing] the just, speedy, and inexpensive resolution of every proceeding.”

IV. CONCLUSION

For at least these reasons, Petitioners respectfully request that the Board grant this Motion to Withdraw the above-captioned IPR petition and thereby terminate the instant IPR proceedings.

Respectfully submitted,

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Motion to Withdraw IPR Petition

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above-captioned “MOTION TO WITHDRAW PETITION FOR *INTER PARTES* REVIEW” was served in its entirety on June 10, 2025, by filing this document through the Patent Trial and Appeal Case Tracking System as well as delivering a copy via electronic mail upon the following attorneys of record for the Patent Owner:

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