

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

DIALECT, LLC,
Patent Owner.

IPR2025-01193
Patent 7,917,367 B2

JOINT MOTION TO TERMINATE PRIOR TO INSTITUTION

EXHIBIT LIST

LIST OF NEWLY FILED EXHIBITS

Exhibits concurrently filed with Joint Motion To Terminate Prior To
Institution:

No.	Description
1040	Confidential Settlement Agreement dated November 30, 2025

LIST OF PREVIOUSLY FILED EXHIBITS

No.	Description
1001	U.S. Patent No. 7,917,367 (" 367 patent ")
1002	File History of U.S. Patent No. 7,917,367
1003	Declaration of Paul Jacobs, dated July 18, 2025 (" Jacobs Decl. " or " Jacobs ")
1004	U.S. Patent Application Pub. No. 2002/0059425 to Belfiore et al. (" Belfiore ")
1005	U.S. Patent Application Pub. No. 2004/0044516 to Kennewick et al. (" Kennewick ")
1006	Redline showing differences between text, aside from the claims, of Kennewick (EX1005) and 367 patent (EX1001).
1007	U.S. Patent Application Pub. No. 2002/0133354 to Ross et al. (" Ross ")
1008	Order (Construing Claim Terms), <i>Dialect, LLC v. Amazon.com Inc. et al.</i> , Civil No. 1:23cv581 (DJN) (E.D. Va. Apr. 29, 2024)
1009	Complaint, <i>Dialect, LLC v. Microsoft Corp.</i> , Case 2:24-cv-01067-JRG (E.D. Tex. Dec. 20, 2024)
1010	Akiyoshi Ochi, <i>et al.</i> , <i>Network Applications for Mobile Computing</i> , Fujitsu Sci. Tech. J., 34(1), 41-49 (Sept. 1998)

No.	Description
1011	Robin Garner, <i>Pelican DHCP Automated Self-Registration System: Distributed Registration and Centralized Management</i> , Proc. of the LISA 2001 15 th Sys. Admin. Conf., 257-266 (Dec. 2001)
1012	Adam Rifkin & Rohit Khare, <i>The Evolution of Internet-Scale Event Notification Services</i> , Workshop on Internet-Scale Event Notification (July 13, 1998)
1013	Antonio Carzaniga, <i>et al.</i> , <i>Achieving Scalability and Expressiveness in an Internet-Scale Event Notification Service</i> , PODC '00: Proc. Nineteenth ACM Symp. Principles of Distributed Computing, 219-227 (2000)
1014	Frederick Jelinek, <i>The Development of an Experimental Discrete Dictation Recognizer</i> , Proc. of the IEEE, 73(11), 1616-1624 (1985)
1015	Andreas Stolcke, <i>et al.</i> , <i>Dialogue Act Modeling for Automatic Tagging and Recognition of Conversational Speech</i> , Computational Linguistics, 26(3), 339-373 (Sept. 2000)
1016	E. Levin, <i>et al.</i> , <i>The AT&T-DARPA Communicator Mixed-Initiative Spoken Dialog System</i> , Sixth Int'l Conf. on Spoken Language Processing (2000)
1017	International Pub. No. WO 01/78065 to Weber et al.
1018	Appendix H to U.S. Patent No. 7,917,367
1019	Andrew S. Tanenbaum, <i>Computer Networks</i> (Pearson Education, Inc., 4 th ed. 2003)
1020	L. Rau et al., <i>Information Extraction And Text Summarization Using Linguistic Knowledge Acquisition</i> , Information Processing & Management Vol. 25, No. 4, pp. 419-428 (1989)
1021	Paul S Jacobs, <i>Joining Statistics with NLP for Text Categorization</i> , Third Conference on Applied Natural Language Processing, Association for Computational Linguistics, pp. 178-185, Mar. 31, 1992-Apr. 3, 1992

No.	Description
1022	List of Challenged Claims - USP 7,917,367
1023	Paul S. Jacobs, <i>A Knowledge Framework for Natural Language Analysis</i> , IJCAI 87 Proceedings of the Tenth International Conference on Artificial Intelligence, 675-678 (1987)
1024	Email correspondence from Carrie A. Beyer to Garland Stephens, Richard Koehl and Heng Gong dated August 8, 2025 (“ Sotera Plus Stipulation ”)
1025	Comparison of U.S. Patent No. 7,917,367 against U.S. Patent No. 7,640,160
1026	<i>End of Support For Cortana</i> , Microsoft, available at https://support.microsoft.com/en-us/topic/end-of-support-for-cortana-d025b39f-ee5b-4836-a954-0ab646ee1efa#:~:text=Cortana%20voice%20assistance%20in%20Windows,in%20the%20fall%20of%202023
1027	Chris Paoli, <i>Microsoft to Kill Cortana in Windows</i> , Redmond Magazine, June 5, 2023, available at https://redmondmag.com/articles/2023/06/05/microsoft-to-kill-cortana-in-windows.aspx
1028	<i>Cortana to Open up to New Devices and Developers With Corana Skills Kit and Cortana Devices SDK</i> , Windows Apps Team, Dec. 13, 2016, available at https://blogs.windows.com/windowsdeveloper/2016/12/13/cortana-skills-kit-cortana-devices-sdk-announcement
1029	Appendix H to the Complaint, <i>Dialect, LLC v. Microsoft Corp.</i> , Case 2:24-cv-01067-JRG (E.D. Tex. Dec. 20, 2024)
1030	Daniel B. Kline, <i>Is 2015 the Year Voice Assistants Take Over Your Home?</i> , The Motley Fool, Jan. 25, 2015, available at https://www.fool.com/investing/general/2015/01/25/is-2015-the-year-cortana-echo-and-siri-take-over-y.aspx
1031	Madeline Vuong, <i>VoiceBox and Samsung Announce Partnership for S Voice Technology</i> , GeekWire, Feb. 22, 2016, available at https://www.geekwire.com/2016/voicebox-and-samsung-announce-partnership-for-samsung-voice-services
1032	<i>Nuance and Microsoft Partner to Transform the Doctor-Patient Experience</i> , Microsoft Source, Oct. 17, 2019, available at

No.	Description
	https://news.microsoft.com/source/2019/10/17/nuance-and-microsoft-partner-to-transform-the-doctor-patient-experience
1033	Press Release, Microsoft Corp. and Nuance Communications, Inc., Microsoft Accelerates Industry Cloud Strategy for Healthcare with the Acquisition of Nuance, April 12, 2021, available at https://news.microsoft.com/source/2021/04/12/microsoft-accelerates-industry-cloud-strategy-for-healthcare-with-the-acquisition-of-nuance/
1034	Franchise Tax Account Status, Texas Comptroller of Public Accounts, available at https://comptroller.texas.gov/taxes/franchise/account-status/search/32083980899
1035	<i>A Study of Unpatentability Findings in Inter Partes Review (IPR) Final Written Decisions (FWDs)</i> , United States Patent and Trademark Office, Nov. 21, 2024, available at https://www.uspto.gov/sites/default/files/documents/ppac-aia-ipr-study-20241121.pdf
1036	U.S. District Court – Judicial Caseload Profile, available at https://www.uscourts.gov/sites/default/files/document/fcms_na_distprofile0630.2025.pdf
1037	Final Written Decision, <i>Google LLC v. Dialect, LLC</i> , IPR2024-00753, Paper 36 (PTAB Oct. 17, 2024)
1038	Press Release, Microsoft Completes Acquisition of Nuance, Ushering in New Era of Outcomes-Based AI, March 4, 2022, available at https://news.microsoft.com/source/2022/03/04/microsoft-completes-acquisition-of-nuance-ushering-in-new-era-of-outcomes-based-ai/
1039	File History of U.S. Patent No. 7,640,160

I. STATEMENT OF RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317; 37 C.F.R. §§ 42.72, 42.74; and authorization provided by the Board on December 1, 2025 (Exhibit 3102), Petitioner Microsoft Corporation (“Petitioner”) and Patent Owner Dialect LLC (“Patent Owner”) (collectively, the “Parties”) jointly move for termination of this *inter partes* review proceeding (IPR2025-01193, the “Proceeding”) prior to any institution decision and without prejudice to either Party.

The Parties have reached a settlement and are concurrently filing a true copy of their settlement agreement (Confidential Exhibit 1040) along with a request that it be kept separate and treated as “business confidential information” pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Prior to filing this motion, undersigned counsel for Petitioner obtained permission from undersigned counsel for Patent Owner to add his signature and file this motion and request jointly on behalf of the Parties.

II. JOINT MOTION FOR TERMINATION

Petitioner filed its petition for *inter partes* review on July 21, 2025 (Paper 2), and the Board issued a Notice of Filing Date Accorded on August 1, 2025 (Paper 3). Patent Owner did not file a preliminary response, the Parties have completed briefing on discretionary factors, and the Board has not yet issued a decision on institution.

On November 3, 2025, the Parties first informed the Board by email that they had reached an agreement in principle and were working to finalize the terms of that agreement. On November 30, 2025, the parties entered into a settlement agreement resolving their disputes regarding *inter alia* U.S. Patent Nos. 7,917,367, 8,620,659, 7,634,409, and 7,398,209, including an agreement to terminate this *inter partes* review. *See* Confidential Exhibit 1040. Upon finalizing the settlement agreement, the Parties promptly informed the Board on December 1, 2025, and sought permission to file this motion and a corresponding request to treat Confidential Exhibit 1040 as business confidential information. The Board authorized these filings in a responsive email on December 1, 2025. On December 3, 2025, the Parties filed a joint motion to dismiss with prejudice the district court case asserting the aforementioned patents. In view of the settlement agreement, there is no litigation contemplated between Patent Owner and Petitioner.

Termination of this Proceeding is appropriate because (i) all pending disputes between the Parties have been resolved by the settlement agreement; (ii) the Proceeding is at an early stage and the Board has not yet made an institution determination; and (iii) the Parties jointly make this motion and request under 35 U.S.C. § 317. *See* Patent Trial and Appeal Board Consolidated Trial Practice Guide (November 2019), page 86, Section II (N) (“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. 35 U.S.C. §§ 317(a), 327.”). Here, the Proceeding is at an early stage, no institution decision has been reached, the deadline for institution will not arrive for approximately two months, and there has been no decision on the merits. There are no other petitioners to this *inter partes* review, and no final written decision on the merits has been entered.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true copy of the Parties’ settlement agreement (Confidential Exhibit 1040) is being filed concurrently with this motion and request. As discussed in the Parties’ concurrently filed Joint Request, the Parties request that Confidential Exhibit 1040 be treated as business confidential information. There are no other agreements or understandings, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the Proceeding.

III. CONCLUSION

For at least the above-noted reasons, termination is appropriate under 35 U.S.C. § 317 and 37 C.F.R. §§ 42.72 and 42.74, and the Parties jointly move the Board to terminate this IPR proceeding.

As provided by 35 U.S.C. § 317(a) and 37 C.F.R. § 42.73(d), and because Patent Owner and Petitioner jointly request this termination, no estoppel under 35 U.S.C. § 315(e) shall attach to Petitioner.

Respectfully submitted,

Dated: December 5, 2025

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CERTIFICATE OF SERVICE
IN COMPLIANCE WITH 37 C.F.R. § 42.6(e)(4)

The undersigned certifies that on December 5, 2025, a complete copy of the **JOINT MOTION TO TERMINATE PRIOR TO INSTITUTION** and **EXHIBIT 1040** were served on counsel for the Patent Owner via electronic mail as follows:

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