

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORTINET, INC.,
Petitioner

v.

SOPHOS INC.,
Patent Owner

Inter Partes Review No.: IPR2015-00618
U.S. Patent No.: 8,261,344

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

Pursuant to 35 U.S.C. § 317(a), Patent Owner Sophos, Inc. (“Patent Owner”) and Petitioner Fortinet, Inc. (“Petitioner”) jointly request termination of IPR2015-00618, which is directed to US Patent No. 8,261,344 (“the ’344 Patent”). Movants note that the grant of this motion will result in the termination of this *inter partes* review because no other petitioner remains.

A Settlement and License Agreement (the “Agreement”) between Petitioner and Patent Owner has been made in writing, and a true copy of the same is attached as Exhibit 2010. The Parties desire that the Agreement be maintained as business confidential information under 37 C.F.R. § 42.74(c), and a separate joint request to that effect is being filed on even date herewith.

Us. Patent No. 8,261,344 was asserted in the following litigation:

Caption	Case No.	Defendants	Status
<i>Fotinet, Inc. v.</i> <i>Sophos, Inc. et al.</i>	3:13-cv-05831- EMC (N.D. Cal.)	Sophos, Inc.	Stayed.

In accordance with 35 U.S.C. § 317(a), because Patent Owner and Petitioner jointly request termination of this *Inter Partes* Review, no estoppel under 35 U.S.C. § 315(e) shall attach to Petitioner.

Petitioner will not further participate in these proceedings.

Respectfully Submitted,

Date: **December 14, 2015**

/Jason Liu/
Jason Liu
Reg. 51,955
jasonliu@quinnemanuel.com
Phone: 415-875-6434

Lead Counsel for Petitioner

Postal and Hand Delivery Address:
Quinn Emanuel Urquhart & Sullivan
50 California St., 22nd Floor
San Francisco, CA 94111

Date: **December 14, 2015**

/James M. Heintz/
James M. Heintz
Reg. 41,828
jim.heintz@dlapiper.com
Phone: 703-773-4148
Fax: 703-773-5200

Lead Counsel for Patent Owner

Gianni Minutoli
Reg. No. 41,198
SophosFortinetIPR@dlapiper.com
Phone: 703-773-4045
Fax: 703-773-5200

Nicholas Panno
Reg. No. 68,513
nicholas.panno@dlapiper.com
Phone: 703-773-4148
Fax: 703-773-5200

Backup Counsel for Patent Owner

Postal and Hand Delivery Address:

DLA Piper LLP (US)
11911 Freedom Drive, Suite 300
Reston, VA 20190-5602

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served on Petitioner, Fortinet Inc., by emailing a copy to counsel at the email addresses listed below:

Jason Liu
jasonliu@quinnemanuel.com

Jordan R. Jaffe
jordanjaffe@quinnemanuel.com

IPR-FortinetSophos@quinnemanuel.com

Date: December 14, 2015

/James M. Heintz/
James M. Heintz
Reg. No. 41,828
jim.heintz@dlapiper.com

Counsel for Patent Owner