

Filed: November 5, 2015

Filed on behalf of Shoutpoint, Inc. and Victory Solutions, LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHOUTPOINT, INC. and VICTORY SOLUTIONS, LLC
Petitioners

v.

BROADNET TELESERVICES, LLC
Patent Owner.

Case No. CBM2015-00177

U.S. Patent No. 9,081,485

**JOINT MOTION TO TERMINATE PROCEEDINGS
UNDER 35 U.S.C. § 327(a)**

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Pursuant to 35 U.S.C. § 327(a), 37 C.F.R. §§ 42.72 and 42.74, Petitioners Shoutpoint, Inc. and Victory Solutions, LLC (“Petitioners”) and Patent Owner Broadnet Teleservices, LLC (“Patent Owner”) jointly file this request for termination of this covered business method review of U.S. Patent No. 9,081,485. The Board authorized this Motion via e-mail on November 3, 2015.

A petition for covered business method review was filed on August 20, 2015. The parties have settled their dispute, and executed a confidential settlement agreement to terminate this proceeding, Case CBM2015-00176, and other related litigation proceedings involving the subject patent, and no other proceedings concerning the subject patent are contemplated by the parties in the foreseeable future. Petitioners have agreed to no longer substantively participate in any further proceedings in CBM2015-00176, -00177. The Confidential Settlement Agreement is in writing and was executed by the parties on October 30, 2015, and no collateral agreements were made in connection with the termination of this proceeding. In accordance with 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(b), a true and correct copy of the Settlement Agreement is being submitted herewith as Exhibit 1016. Also submitted concurrently herewith is a request by Petitioners and Patent Owner that the Settlement Agreement be treated as business confidential information, be kept separate from the file of the involved patents, and be made available only to

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Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c).

Termination of this proceeding is proper under 35 U.S.C. § 327(a) because the Board has not yet instituted the proceeding. Accordingly, the parties respectfully request termination of this proceeding.

The Patent Trial and Appeal Board is hereby authorized to charge any fees associated with the filing to Deposit Account 111410 (Customer ID No. 20,995).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: November 5, 2015

By: /Michelle E. Armond/

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Shoutpoint, Inc. and Victory Solutions, LLC

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Dated: November 5, 2015

By: /Richard J. Holzer, Jr./

Richard J. Holzer, Jr. (Reg. No. 42,668)

Lead Attorney for Patent Owner

Broadnet Teleservices, LLC

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **JOINT MOTION TO TERMINATE PROCEEDINGS UNDER 35 U.S.C. § 327(a)** is being served on November 5, 2015, via electronic mail pursuant to 37 C.F.R. § 42.6(e) and with the agreement of counsel for Patent Owner as addressed below:

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