

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SONY ONLINE ENTERTAINMENT LLC,  
BLIZZARD ENTERTAINMENT, INC., AND  
BACKFLIP STUDIOS, LLC,  
Petitioner,

v.

AGINCOURT GAMING, LLC,  
Patent Owner.

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Case IPR2014-01232  
Patent 6,306,035

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Before SCOTT E. KAMHOLZ, JAMES B. ARPIN, and  
PHILIP J. HOFFMANN, *Administrative Patent Judges*.

KAMHOLZ, *Administrative Patent Judge*.

JUDGMENT  
Termination of the Proceeding  
*37 C.F.R. § 42.72*

The parties filed a joint motion to terminate this proceeding (Paper 8 (“Mot.”)), along with true copies of the written settlement agreements entered into by Patent Owner with each Petitioner entity (Exs. 1001, 1002, 1003).<sup>\*</sup> The parties also filed a joint request to have their settlement agreements treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 9.

For the reasons provided below, the joint motion to terminate is granted with respect both to Petitioner and to Patent Owner. The joint request that the settlement agreements be treated as business confidential information is also granted.

Patent Owner has not yet filed a Preliminary Response, and we have not yet made a decision whether to institute *inter partes* review. Mot. 3. The parties also have stipulated to dismissal with prejudice of related litigations *Agincourt Gaming, LLC v. Sony Online Entertainment, LLC*, Civil Action No. 1:14-cv-00198 (D.Del.), *Agincourt Gaming, LLC v. Blizzard Entertainment, Inc.*, Civil Action No. 1:14-cv-00196 (D.Del.), and *Agincourt Gaming, LLC v. Backflip Studios, LLC*, Civil Action No. 1:14-cv-00197 (D.Del.). *Id.* at 2.

In view of the parties’ settlement agreements, made in connection with the termination in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), we determine that it is appropriate to terminate the involvement of each Petitioner entity. Moreover, in view of the early stage of this

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<sup>\*</sup> The cited exhibits are those filed Nov. 20, 2014. Petitioner already used those exhibit numbers earlier in the proceeding. Each party’s exhibits are to be numbered uniquely and consecutively in the course of a proceeding. 37 C.F.R. § 42.63(c).

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proceeding, and the concurrent settlement of the district court litigation, we determine that it also is appropriate to terminate the proceeding with respect to Patent Owner. As a result, it is appropriate to enter judgment in the form of termination. *See* 37 C.F.R. § 42.2.

Accordingly, it is

ORDERED that the joint motion to terminate IPR2014-01232 is *granted*, and this proceeding is hereby terminated as to both Petitioner and Patent Owner, including Petitioner entities Sony Online Entertainment LLC, Blizzard Entertainment, Inc., and Backflip Studios, LLC, and Patent Owner Agincourt Gaming, LLC; and

FURTHER ORDERED that the joint request that the settlement agreement be treated as business confidential information and be kept separate from the patent files under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is *granted*.

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PETITIONER:

Eric Buresh  
Jason Mudd  
ERISE IP, P.A.  
[eric.buresh@eriseip.com](mailto:eric.buresh@eriseip.com)  
[jason.mudd@eriseip.com](mailto:jason.mudd@eriseip.com)

PATENT OWNER:

Vincent Allen  
Ted Barody  
James Ortega  
CARSTENS & CAHOON, LLP  
[allen@cclaw.com](mailto:allen@cclaw.com)  
[barody@cclaw.com](mailto:barody@cclaw.com)  
[ortega@cclaw.com](mailto:ortega@cclaw.com)