

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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UniKey Technologies, Inc.,  
Petitioner

v.

ASSA ABLOY AB,  
Patent Owner

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Case IPR2015-01440

Patent No. 7,706,778

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**JOINT MOTION TO TERMINATE INTER PARTES  
REVIEW OF USPN 7,706,778 PURSUANT TO 35 U.S.C. § 317**

## I. RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317(a), Petitioner UniKey Technologies, Inc. (“Petitioner” or “UniKey”) and Patent Owner ASSA ABLOY AB (“Patent Owner” or “AAAB”) jointly request termination of this *inter partes* review of U.S. Patent No. 7,706,778 (the ‘778 patent). Termination of this review is appropriate because the parties have settled their dispute with regard to the ‘778 patent and have reached an agreement to, among other things, terminate this review. *Ex. 1007*, Settlement Agreements (submitted as business confidential information pursuant to 35 U.S.C. § 317 (b) and 37 C.F.R. § 42.74 (c)).

## II. STATEMENT OF FACTS AND SUPPORT FOR TERMINATION

UniKey filed this Petition on June 18, 2015. The Board has not entered a decision whether to grant the petition. 35 U.S.C. § 317(a) provides, in pertinent part, “[a]n *inter partes* review . . . shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.”

“Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement.” *Oracle Corp. v. Cmty. United IP, LLC*, CBM2013-00015, Paper 13 (July 25, 2013) (citing Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48756-66 (Aug. 14, 2012)).

Pursuant to a written agreement of the parties, the patent infringement lawsuit between the parties relating to the '778 Patent has been dismissed without prejudice. The parties also have entered into a further agreement relating to termination of this *inter partes* proceeding. Therefore, the parties submit this proceeding should be terminated. *Conmed Corporation v. Bonutti Skeletal Innovations LLC*, IPR2013-00624, Paper 27 (April 30, 2014).

The parties have submitted true and correct copies of both agreements contemporaneously with this Joint Motion pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). The parties desire that their settlement agreements be filed and maintained as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and have filed a separate joint request therefor. As stated in 35 U.S.C. § 317(a), because UniKey and AAAB jointly request this termination as to Petitioner UniKey, no estoppel under 35 U.S.C. § 315(e) shall attach to UniKey.



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **JOINT MOTION TO TERMINATE INTER PARTES REVIEW OF USPN 7,706,778 PURSUANT TO 35 U.S.C. § 317** was served on October 1, 2015, in its entirety on the following via electronic filing with the Patent Review Processing System and via Federal Express:

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