

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOKIA SOLUTIONS AND NETWORKS US LLC; and
NOKIA SOLUTIONS AND NETWORKS OY,
Petitioner,

v.

HUAWEI TECHNOLOGIES CO. LTD.,
Patent Owner.

Case IPR2017-00591
Patent 8,325,675 B2

Before TREVOR M. JEFFERSON, JENNIFER MEYER CHAGNON, and
MICHELLE N. WORMMEESTER, *Administrative Patent Judges*.

JEFFERSON, *Administrative Patent Judge*.

DECISION

Granting Joint Motion to Dismiss

37 C.F.R. § 42.71(a)

Granting Request to Treat Settlement Document

as Confidential Business Information

35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c)

On December 22, 2017, the parties filed a joint motion to terminate the instant proceeding pursuant to a settlement agreement. Paper 15. The parties also filed a copy of their settlement agreement (which they refer to as “Exhibit 1100”), made in connection with the termination of the instant proceeding. Ex. 1100.¹ In a concurrently filed paper, the parties jointly request that the settlement agreement be treated as confidential and kept separate from the file of the involved patent under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Paper 16. We authorized the filing of these papers in an e-mail sent on December 22, 2017.

We entered a Decision denying institution of *inter partes* review in this case on July 26, 2017. Paper 11. Petitioner has filed a Request for Rehearing (Paper 13),² but we have not yet decided the merits of Petitioner’s Request for Rehearing. Based on these facts, it is appropriate to dismiss the Petition and Petitioner’s Request for Rehearing. Thus, the Joint Motion to Terminate the proceeding is granted.

¹ Pursuant to our instructions provided in an e-mail on December 28, 2017, the parties submitted a replacement version of Exhibit 1100 (which they designated as “Replacement Exhibit 1100”). The version of Exhibit 1100 previously filed on December 22, 2017, will be expunged from the record.

² Petitioner filed a Motion to Expunge Paper 12, noting “[a]n incorrect version of the file for Petitioners’ Request For Rehearing Pursuant to 37 C.F.R. § 42.71(d) was uploaded to the Patent Trial and Appeal Board (PTAB) E2E.” Paper 14. Petitioner’s Motion is *granted* and Paper 12 will be expunged from the record.

IPR2017-00591
Patent 8,325,675 B2

Accordingly, it is

ORDERED that the joint motion to terminate the instant proceeding is *granted*, and the Petition and Petitioner's Request for Rehearing are hereby *dismissed*;

FURTHER ORDERED that the parties' joint request that their settlement agreement (Ex. 1100) be treated as business confidential information and kept separate from the file of the involved patent, under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R § 42.74(c), is *granted*;

FURTHER ORDERED that Petitioner's Motion to Expunge (Paper 14) is *granted* and Paper 12 is expunged; and

FURTHER ORDERED that the version of Exhibit 1100 filed on December 22, 2017, is expunged.

IPR2017-00591
Patent 8,325,675 B2

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IPR2017-00591
Patent 8,325,675 B2

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