

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HUAWEI TECHNOLOGIES CO. LTD.,  
Petitioner,

v.

NOKIA SOLUTIONS AND NETWORKS OY,  
Patent Owner.

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Case IPR2017-01604  
Patent 8,553,636 B2

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Before TREVOR M. JEFFERSON, MICHELLE N. WORMMEESTER, and  
CHRISTA P. ZADO, *Administrative Patent Judges*.

ZADO, *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, pursuant to 35 U.S.C. § 317(a), the parties  
filed a Joint Motion by Petitioner and Patent Owner to Terminate  
Proceeding. Paper 9, "Joint Motion." Accompanying the Joint Motion, the

parties filed what they assert is a true copy of a settlement agreement along with a Joint Request to treat the settlement agreement as confidential, to be kept separate from the patent file under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Paper 10, “Joint Request”; Ex. 2100<sup>1</sup>. The filing of these papers was authorized in an email sent on December 22, 2017.

The instant proceeding is still in the preliminary stages, as we have not yet entered a decision whether or not to institute an *inter partes* review. Under these circumstances, Petitioner has demonstrated that dismissal of its Petition is warranted, and we grant the parties’ Joint Motion and dismiss the Petition. *See* 37 C.F.R. § 42.71(a) (authorizing the Board to dismiss a petition).

Accordingly, it is:

ORDERED that the parties’ Joint Motion is *granted* and the Petition is *dismissed*;

FURTHER ORDERED that the parties’ Joint Request that the settlement agreement (Ex. 2100) be treated as business confidential information and kept separate from the patent file, under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the version of Exhibit 2100 filed on December 22, 2017 is expunged.

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<sup>1</sup> The Joint Motion and Joint Request refer to Exhibit 1100; however, the exhibit was filed as Exhibit 2100. We refer to the Exhibit as 2100. Pursuant to our instructions provided in an email sent on December 28, 2017, the parties submitted a replacement version of Exhibit 2100 on December 28, 2017. The version of Exhibit 2100 previously filed on December 22, 2017 is expunged per this Order.

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