

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BROADCOM CORPORATION and BROADCOM LTD.,¹
Petitioner,

v.

TESSERA, INC.,
Patent Owner.

Case IPR2017-01645 (Patent 6,046,076)
Case IPR2017-01646 (Patent 6,218,215 B1)
Case IPR2017-01649 (Patent 6,080,605)
Case IPR2018-00172 (Patent 6,573,609 B2)

Before JUSTIN T. ARBES, JOHN A. EVANS, and CARL M. DEFRANCO,
Administrative Patent Judges.

ARBES, *Administrative Patent Judge.*

DECISION
Termination of the Proceedings
37 C.F.R. § 42.72

¹ Petitioner in Cases IPR2017-01645, IPR2017-01646, and IPR2017-01649 is Broadcom Corporation. Petitioner in Case IPR2018-00172 is Broadcom Ltd.

IPR2017-01645 (Patent 6,046,076); IPR2017-01646 (Patent 6,218,215 B1)
IPR2017-01649 (Patent 6,080,605); IPR2018-00172 (Patent 6,573,609 B2)

On December 21, 2017, the parties filed a joint motion to terminate in each of the instant proceedings on the basis of a settlement reached by the parties. *See* Paper 9² (“Mot.”); 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. The parties also filed a copy of their written settlement agreement (Ex. 2009) and related agreements (Exs. 2010–2014), along with a joint request (Paper 10) to treat the agreements as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

The instant proceedings are still in the preliminary stages, as we have not yet entered a decision whether or not to institute an *inter partes* review in any of the proceedings. In the joint motions to terminate, the parties represent that the agreements “completely resolve all controversies between the Patent Owner and Petitioner, including their dispute[s] relating to” the challenged patents in these proceedings. Mot. 1–2, 4–5. The parties further state that “there are no other agreements or understandings, oral or written, between [Patent Owner] and [Petitioner], including any collateral agreements, made in connection with, or in contemplation of, the termination of the present proceeding[s] as set forth in 35 U.S.C. § 317(b).” Mot. 2. Under these circumstances, we determine that it is appropriate to terminate the instant proceedings without rendering any further decisions. *See* 37 C.F.R. § 42.72.

In consideration of the foregoing, it is hereby:

ORDERED that the request in each of the instant proceedings that the agreements be treated as business confidential information, kept separate from the file of the respective challenged patent, and made available only to

² The parties filed similar papers in each of the instant proceedings. We refer to those filed in Case IPR2017-01645 for convenience.

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Federal Government agencies on written request, or to any person on a showing of good cause, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the joint motion to terminate in each of the instant proceedings is *granted* and the proceedings are hereby *terminated*.

IPR2017-01645 (Patent 6,046,076); IPR2017-01646 (Patent 6,218,215 B1)
IPR2017-01649 (Patent 6,080,605); IPR2018-00172 (Patent 6,573,609 B2)

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