

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORP.
Petitioner

v.

ONE-E-WAY, INC.
Patent Owner

Case IPR2018-00216 (Patent 7,865,258)
Case IPR2018-00217 (Patent 7,865,258)
Case IPR2018-00218 (Patent 8,131,391)
Case IPR2018-00219 (Patent 8,131,391)¹

Before KARL D. EASTHOM, MATTHEW R. CLEMENTS, and
SCOTT E. BAIN, *Administrative Patent Judges*.

BAIN, *Administrative Patent Judge*.

DECISION
Joint Motion to Terminate
37 C.F.R. §§ 42.72, 42.74

¹ This Decision addresses issues that are identical in all four cases. We, therefore, exercise our discretion to issue one Decision to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

IPR2018-00216 (Patent 7,865,258)
IPR2018-00217 (Patent 7,865,258)
IPR2018-00218 (Patent 8,131,391)
IPR2018-00219 (Patent 8,131,391)

On February 9, 2018, the parties filed, in each of these proceedings, a Joint Motion to Terminate (Paper 6, “Joint Motion”),² a Confidential Settlement and License Agreement (Exhibit 1015, “Settlement Agreement”), and a Joint Request to File the Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 7, “Joint Request”).

In the Joint Motions, the parties state that they have resolved their dispute regarding the challenged patents pursuant to the Settlement Agreement. *See, e.g.*, Joint Motion 1. The parties further state that they have settled and are filing a motion to “terminate the Sony Respondents from *In re Certain Wireless Headsets*, Inv. No. 337-TA-943,” a case pending before the U.S. International Trade Commission which involves the challenged patents. *Id.* at 2. The parties represent that there are no other written or oral agreements between them “that are made in connection with, or in contemplation of, the termination of this proceeding.” *Id.* at 1.

We have not yet decided whether to institute trial in any of these proceedings.

Under these circumstances, we determine it is appropriate to terminate these proceedings without rendering any further decisions. Therefore, each of the Joint Motions and Joint Requests is GRANTED.

² Citations are to IPR2018-00216 unless otherwise noted. Substantially identical papers were filed in the each of the other proceedings.

IPR2018-00216 (Patent 7,865,258)
IPR2018-00217 (Patent 7,865,258)
IPR2018-00218 (Patent 8,131,391)
IPR2018-00219 (Patent 8,131,391)

ORDER

Accordingly, it is

ORDERED that the parties' Joint Requests to File [and treat] the Settlement Agreement [IPR2018-00216, Ex. 1015; IPR2018-00217, Ex. 1014; IPR2018-00218, Ex. 1015; IPR2018-00219, Ex. 1014] as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is GRANTED; and

FURTHER ORDERED that each Joint Motion to Terminate is GRANTED, and each of these proceedings is hereby terminated.

IPR2018-00216 (Patent 7,865,258)
IPR2018-00217 (Patent 7,865,258)
IPR2018-00218 (Patent 8,131,391)
IPR2018-00219 (Patent 8,131,391)

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