

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ERICSSON INC. AND TELEFONAKTIEBOLAGET LM ERICSSON,
Petitioners,

v.

INTELLECTUAL VENTURES I LLC,
Patent Owner.

Case IPR2018-00727
Patent 6,628,629 B1

Before KRISTEN L. DROESCH, BRIAN J. McNAMARA, and
DAVID C. McKONE, *Administrative Patent Judges*.

DROESCH, *Administrative Patent Judge*.

DECISION

Granting the Parties' Joint Motion to Terminate Proceeding
35 U.S.C. § 317; 37 C.F.R. § 42.72

I. DISCUSSION

Pursuant to authorization by the Board, the parties filed the following: (1) a Joint Motion to Terminate Proceeding (Paper 26); (2) a true copy of the parties' settlement agreement (Paper 27¹); and (3) a joint request to treat the settlement agreement as business confidential information, and to keep separate from the file of the involved patent, under 37 C.F.R. § 42.74(c) (Paper 28).

Oral argument has not been held, and a final written decision has not been entered. In the Joint Motion to Terminate Proceeding, the parties indicate that they have settled all their disputes in this proceeding, and have agreed to terminate the proceeding. Paper 26, 3. The parties also “jointly certify that there are no other written or oral agreements or understandings, including any collateral agreements, between them, including but not limited to licenses, covenants not to sue, confidentiality agreements, payment agreements, or other agreements of any kind, that are made in connection with or in contemplation of, the termination of this proceeding.” *Id.* at 4. Under these particular circumstances, we determine that it is appropriate to terminate the proceeding without rendering a final written decision. *See* 35 U.S.C. § 317; 37 C.F.R. § 42.72. We also have reviewed the true copy of the parties' settlement agreement, and we determine that good cause

¹ The parties filed the true copy of their settlement agreement as a paper, rather than as a separate exhibit. The parties should have filed the true copy of their settlement agreement as a separate exhibit in accordance with 37 C.F.R. § 42.63(a) (“Evidence consists of affidavits, transcripts of depositions, documents, and things. All evidence must be filed in the form of an exhibit.”).

exists to treat this settlement agreement as business confidential information, and keep it separate from the file of the involved patent, under 37 C.F.R. § 42.74(c).

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' request to treat the true copy of their settlement agreement (Paper 28) as business confidential information, and to keep separate from the file of the involved patent, under 37 C.F.R. § 42.74(c) is *granted*; and

FURTHER ORDERED that the parties' Joint Motion to Terminate Proceeding (Paper 26) is *granted*, and the proceeding is terminated.

Case IPR2018-00727

Patent 6,628,629

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