

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.

Cases IPR2018-00758, IPR2018-00782, IPR2018-01121, IPR2018-01256,
IPR2018-01318 (Reissued Patent RE46,206 E)¹

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

DROESCH, *Administrative Patent Judge*.

DECISION

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

¹ This Order applies to each of the above-listed proceedings. We exercise our discretion to issue one Order to be filed in each proceeding. The parties are not authorized to use this heading style in any subsequent papers.

Cases IPR2018-00758, IPR2018-00782, IPR2018-01121, IPR2018-01256, IPR2018-01318 (Reissued Patent 46,206)

I. DISCUSSION

Pursuant to authorization by the Board, the parties filed the following in each proceeding identified above: (1) a Joint Motion to Terminate Proceeding (Case IPR2018-00758, Paper 24; Case IPR2018-00782, Paper 24; Case IPR2018-01121, Paper 16; IPR2018-01256, Paper 14; IPR2018-01318, Paper 13); (2) a true copy of the parties' settlement agreement (Case IPR2018-00758, Paper 25; Case IPR2018-00782, Paper 25; Case IPR2018-01121, Paper 17; IPR2018-01256, Paper 15; IPR2018-01318, Paper 14²); 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) (Case IPR2018-00758, Paper 26; Case IPR2018-00782, Paper 26; Case IPR2018-001121, Paper 18; IPR2018-01256, Paper 16; IPR2018-01318, Paper 15).

In each proceeding, 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 regarding each proceeding, and have agreed to terminate each of the aforementioned proceedings. Case IPR2018-00758, Paper 24, 3; Case IPR2018-00782, Paper 24, 3; Case IPR2018-01121, Paper 16, 3; IPR2018-01256, Paper 14, 3; IPR2018-01318, Paper 13, 3.

² In each proceeding, 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.").

Cases IPR2018-00758, IPR2018-00782, IPR2018-01121, IPR2018-01256, IPR2018-01318 (Reissued Patent 46,206)

The parties “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 all five proceedings 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 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’ requests to treat the true copy of their settlement agreement filed in each proceeding (Case IPR2018-00758, Paper 26; Case IPR2018-00782, Paper 26; Case IPR2018-01121, Paper 18; IPR2018-01256, Paper 16; IPR2018-01318, Paper 15) as business confidential information, and to keep separate from the file of the involved patent, under 37 C.F.R. § 42.74(c) are *granted*; and

FURTHER ORDERED that each of the parties’ Joint Motion to Terminate Proceeding are *granted*, and the proceedings of IPR2018-00758, IPR2018-00782, IPR2018-01121, IPR2018-01256, and IPR2018-01318 are terminated.

Cases IPR2018-00758, IPR2018-00782, IPR2018-01121, IPR2018-01256,
IPR2018-01318 (Reissued Patent 46,206)

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