

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

SEVEN NETWORKS, LLC,
Patent Owner.

Cases IPR2018-01106 & IPR2018-01108 (Patent 9,516,127 B2)
Cases IPR2018-01113 & IPR2018-01114 (Patent 8,811,952 B2)
Cases IPR2018-01124 & IPR2018-01125 (Patent 9,351,254 B2)
Case IPR2018-01126 (Patent 9,516,129 B2)

Before THU A. DANG, KARL D. EASTHOM, JONI Y. CHANG,
THOMAS L. GIANNETTI, ROBERT J. WEINSCHENK, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.¹

DANG, *Administrative Patent Judge*.

DECISION²

Granting Joint Motion to Terminate
37 C.F.R. §§ 42.71(a) and 42.74

¹ This is not an expanded panel of the Board. It is a listing of all the Judges on the panels of the above-listed proceedings.

² This Decision governs each case based on the common issues presented. The parties shall not employ this heading style.

IPR2018-01106 & IPR2018-01108 (Patent 9,516,127 B2)
IPR2018-01113 & IPR2018-01114 (Patent 8,811,952 B2)
IPR2018-01124 & IPR2018-01125 (Patent 9,351,254 B2)
IPR2018-01126 (Patent 9,516,129 B2)

Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) and SEVEN Networks, LLC (“Patent Owner”) filed a “Joint Motion to Terminate Pursuant to 35 U.S.C. § 317” (Papers 24 (“Joint Motion to Terminate”)) and a “Joint Request to Treat Patent License and Settlement Agreement as Business Confidential Information” (Papers 25 (“Settlement Agreement”)) in each of the above-captioned cases (collectively “Joint Motions”).³ The parties represent that they have reached settlement as evidenced by the written Settlement Agreement, filing a true copy of same as required under 37 C.F.R. § 42.74(b). Paper 24; Ex. 2100. The parties also represent that no other agreements exist between the parties concerning these cases. Paper 24, 5.

Under 35 U.S.C. § 317(a), “[a]n *inter partes* review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” As indicated in the Joint Motions, the parties are requesting termination prior to oral hearing and prior to the Board’s final written decision. Paper 24, 2. We also note that briefing has not been completed, as Patent Owner has not filed a Response, and Petitioner has not filed a Reply to Patent Owner’s Response.

Further, under 37 C.F.R. § 42.74(b), “[a]ny agreement or understanding between the parties made in connection with, or in

³ Citations refer to Case IPR2018-01126. The parties filed materially similar papers in each case.

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IPR2018-01113 & IPR2018-01114 (Patent 8,811,952 B2)
IPR2018-01124 & IPR2018-01125 (Patent 9,351,254 B2)
IPR2018-01126 (Patent 9,516,129 B2)

contemplation of, the termination of a proceeding shall be in writing and a true copy shall be filed with the Board before termination of the trial.” As the parties have filed their written settlement agreement, we determine it is appropriate to terminate each of these proceedings without rendering a Final Written Decision as to the patentability of challenged claims of the involved patents. *See* 37 C.F.R. §§ 42.72, 42.73, 42.74.

ORDER

It is

ORDERED that the parties’ Joint Motion to Terminate in each of the above-captioned cases is *granted*, and each case is *terminated*; and

FURTHER ORDERED that the parties’ Joint Request to Treat the Settlement Agreement as Business Confidential Information in each of the above-captioned cases is *granted*, and Exhibit 2100 in each case shall be kept separate from the pertinent file consistent with 37 C.F.R. § 42.74(b).

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IPR2018-01124 & IPR2018-01125 (Patent 9,351,254 B2)
IPR2018-01126 (Patent 9,516,129 B2)

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