

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

MICROSOFT CORPORATION,  
Petitioner,

v.

HYPERMEDIA NAVIGATION LLC,  
Patent Owner.

---

Case IPR2018-01518, Patent 9,083,672  
Case IPR2018-01519, Patent 9,772,814  
Case IPR2018-01537, Patent 7,424,523

---

Before KEVIN F. TURNER, GARTH D. BAER, and MATTHEW J. McNEILL,  
*Administrative Patent Judges.*

BAER, *Administrative Patent Judge.*

ORDER

Dismissing Petition  
*37 C.F.R. §§ 42.5(a) and 42.71(a)*

and

Granting Request to Treat Settlement Documents as  
Confidential Business Information  
*37 C.F.R. § 42.74(c)*

IPR2018-01518 (Patent 9,083,672)  
IPR2018-01519 (Patent 9,772,814)  
IPR2018-01537 (Patent 7,424,523)

On October 31, 2018, the parties filed a Joint Motion to Terminate Proceeding and Joint Request to Treat the Parties Agreement (Ex. 1024) as Business Confidential Information (Paper 6) in IPR2018-01518, IPR2018-01519, and IPR2018-01537.<sup>1</sup> We authorized the motions in a conference call for these proceedings on October 30, 2018. The motions request termination because the parties settled their dispute, and agreed to terminate these *inter partes* reviews. Paper 6, 1. The parties concurrently filed a true copy of their Settlement and License Agreement in each case. *Id.* at 3; *see* Ex. 1024.

These proceedings are at an early stage. Petitioner filed their petitions for *inter partes* review on August 10, 2018. Paper 2. Patent Owner has not filed a Preliminary Response, and we have neither considered the merits of the Petitions nor decided whether to institute trial.

Under these circumstances, we determine it is appropriate to dismiss the petitions. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). We also determine it is appropriate to treat the parties' settlement agreement (Ex. 1024) as confidential business information, and to keep that document separate from the files of the challenged patent in each case. As such, the joint motion and request in each proceeding are granted.

This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

Accordingly, it is hereby:

ORDERED that the Petition for *Inter Partes* Review of U.S. Patent No. 9,083,672 (IPR2018-01518) is dismissed;

---

<sup>1</sup> The relevant paper and exhibit numbers are the same for IPR2018-01518, IPR2018-01519, and IPR2018-01537.

IPR2018-01518 (Patent 9,083,672)

IPR2018-01519 (Patent 9,772,814)

IPR2018-01537 (Patent 7,424,523)

FURTHER ORDERED that Exhibit 1024 in IPR2018-01518 be maintained as confidential business information and kept separate from the files of U.S. Patent No. 9,083,672;

FURTHER ORDERED that the Petition for *Inter Partes* Review of U.S. Patent No. 9,772,814 (IPR2018-01519) is dismissed;

FURTHER ORDERED that Exhibit 1024 in IPR2018-01519 be maintained as confidential business information and kept separate from the files of U.S. Patent No. 9,772,814;

FURTHER ORDERED that the Petition for *Inter Partes* Review of U.S. Patent No. 7,424,523 (IPR2018-01537) is dismissed; and

FURTHER ORDERED that Exhibit 1024 in IPR2018-01537 be maintained as confidential business information and kept separate from the files of U.S. Patent No. 7,424,523.

IPR2018-01518 (Patent 9,083,672)

IPR2018-01519 (Patent 9,772,814)

IPR2018-01537 (Patent 7,424,523)

PETITIONER:

Andrew M. Mason

Todd M. Siegel

Derrick W. Toddy

Garth A. Winn

John D. Vandenberg

KLARQUIST SPARKMAN, LLP

Andrew.mason@klarquist.com

Todd.siegel@klarquist.com

Derrick.toddy@klarquist.com

Garth.winn@klarquist.com

John.vandenberg@klarquist.com

PATENT OWNER:

Michael L. Wach

WACH LLC

mikewachsr@gmail.com

Jason M. Perilla

THOMAS/HORSTEMERYER, LLP

Jason.perilla@thomashorstemeyer.com

Adam L. Baumli

BAUMLI LAW FIRM PLLC

adam@baumlilawfirm.com