

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BLACKBERRY CORPORATION,
Petitioner,

v.

MAZ ENCRYPTION TECHNOLOGIES LLC,
Patent Owner.

Case IPR2019-00624
Patent 7,096,358

Before BARBARA A. BENOIT, STACY B. MARGOLIES, and
MICHAEL T. CYGAN, *Administrative Patent Judges*.

MARGOLIES, *Administrative Patent Judge*.

SETTLEMENT

Prior to Institution of Trial

35 U.S.C. § 316(a)(4) and 37 C.F.R. § 42.74

On April 9, 2019, the parties filed a joint motion to terminate, along with a true copy of their written settlement agreement. Paper 8; Ex. 1003 (“Settlement Agreement”). The parties request termination of the proceeding and state that the parties have reached agreement to end their dispute concerning U.S. Patent No. 7,096,358 (“the ’358 patent”). Paper 8, 1. The parties also state that they have agreed to dismiss the related district court litigation concerning the ’358 patent and that there are no other current litigation proceedings involving the ’358 patent. *Id.* at 2–3. The parties also jointly request that the Settlement Agreement be treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *Id.* at 1–2; Paper 9. The parties certify that there is no other agreement or understanding between them, including other collateral agreements, made in connection with, or in contemplation of, the termination of the instant proceeding. Paper 8, 1.

We are in the very early stages of this proceeding. BlackBerry Corporation filed a petition for *inter partes* review on January 25, 2019. Paper 1. Patent Owner Maz Encryption Technologies LLC has not filed a preliminary response, which may be filed no later than May 12, 2019. *See* Paper 3. We have not yet determined whether to institute an *inter partes* review. Based on the facts and circumstances of this proceeding, it is appropriate to terminate the proceeding without rendering a final written decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

Accordingly, it is:

ORDERED that the parties’ joint request that the Settlement Agreement be treated as business confidential information, to be kept separate from the patent file, is *granted*;

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FURTHER ORDERED that the joint motion to terminate the proceeding is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

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