

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

SEVEN NETWORKS, LLC,
Patent Owner.

IPR2020-00156 (Patent 10,110,534); IPR2020-00157 (Patent 10,110,534);
IPR2020-00180 (Patent 9,648,557); IPR2020-00188 (Patent 9,608,968);
IPR2020-00235 (Patent 10,091,734); IPR2020-00236 (Patent 9,369,539);
IPR2020-00255 (Patent 9,516,127); IPR2020-00266 (Patent 10,135,771);
IPR2020-00279 (Patent 9,712,476); IPR2020-00280 (Patent 10,027,619);
IPR2020-00285 (Patent 10,039,029); IPR2020-00490 (Patent 9,473,914);
IPR2020-00491 (Patent 9,712,986); IPR2020-00506 (Patent 9,769,176);
IPR2020-00584 (Patent 9,603,056); IPR2020-00707 (Patent 9,712,476)¹

Before THU A. DANG, KARL D. EASTHOM, and JONI Y. CHANG,
Administrative Patent Judges.

CHANG, *Administrative Patent Judge.*

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

¹ This Order applies to each proceeding in the caption. The parties, however, are not authorized to use this style of filing in subsequent papers, without prior authorization.

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In each above-identified proceeding, Petitioner and Patent Owner jointly move to terminate *inter parte* review in light of their settlement that resolves their dispute regarding the patents at issue. Paper 27 (“Mot.”).² The parties also filed a true copy of their written settlement agreement in connection with the termination as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), in each above-identified proceeding. Ex. 2100. Pursuant to 37 C.F.R. § 42.74(c), the parties additionally filed a joint request to treat the Settlement Agreement as business confidential information kept separate from the file of the involved patent, in each above-identified proceeding. Paper 28.

Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement. *See Consolidated Trial Practice Guide*³ at 86; *see also* 84 Fed. Reg. 64,280 (Nov. 21, 2019). Here, the parties indicate that their Settlement Agreement completely resolves the controversy between the parties relating to the involved patents. Mot. 3. They also certify, in each above-identified proceeding, that “there are no collateral

² For purposes of expediency, we refer to the papers and exhibits filed in IPR2020-00156. Similar papers and exhibits were filed in each of the other above-identified cases.

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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agreements or understandings made in connection with, or in contemplation of, the termination of this *inter partes* review.” *Id.* at 4. Although the above-identified *inter partes* reviews have been instituted, these proceedings are still in the briefing stage. We have not yet held an oral hearing and have not entered a final written decision in any of these proceedings.

Upon review of the procedural posture of these proceedings and the facts before us, we determine that the parties’ requests have merit and that it is appropriate to terminate these proceedings and enter judgment without rendering a final written decision in each above-identified proceeding.

See 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.2, 42.72.

In consideration of the foregoing, it is hereby

ORDERED that the Joint Motions to Terminate filed in these proceedings are *granted*; and

FURTHER ORDERED that the Joint Requests to File Settlement Agreement as Business Confidential Information and to keep such settlement agreement separate from the patent files, and to make it available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), are *granted*.

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