

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GROUPON INC.,

Petitioner

v.

MAXIM INTEGRATED PRODUCTS, INC.,

Patent Owner.

Case CBM2014-00090

U.S. Patent No. 5,805,702

**JOINT CERTIFICATION REGARDING
JOINT MOTION TO TERMINATE**

Pursuant to the Board's Order entered on August 12, 2014 (Order, Paper No. 10), Petitioner Groupon Inc. (Groupon) and Patent Owner Maxim Integrated Products, Inc. (Maxim) submit this joint certification that no other agreements related to termination of this covered business method review proceeding, Case No. CBM2014-00090, exist between the parties.

STATEMENT OF FACTS

On August 5, 2014, the Board authorized the parties to file a joint motion to terminate this proceeding pursuant to 35 U.S.C. § 327. Paper No. 7. The parties filed their joint motion to terminate the proceeding on August 7, 2014, including as Ex. 1012 the stipulation of dismissal of the related district court litigation that serves as the written agreement between the parties to end their dispute with respect to U.S. Patent No. 5,805,702. Paper. No. 8; Ex. 1012. On August 12, 2014 the Board entered an order noting that the stipulation is not the typical settlement agreement that is submitted in compliance with 35 U.S.C. § 327(b), and requiring the parties to certify that no other agreement exists or, alternatively, to file any such agreements. Paper. No. 10.

JOINT CERTIFICATION

The parties hereby 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 the instant proceeding. As reflected in the stipulation to dismiss (Ex. 1012), the entire agreement between the parties in connection with termination of this proceeding consisted of agreement to (1) stipulate to dismissal with prejudice of Maxim's district court claim regarding the '702 patent, (2) stipulate to dismissal without prejudice of Groupon's affirmative defenses relating to the '702 patent, (3) bear their own costs, expenses, and attorney fees with respect to the '702 patent, and (4) jointly move to terminate this covered business method review proceeding.

Dated: August 15, 2014

Respectfully submitted,

/s/ James C. Yoon

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Case CBM2014-00090
U.S. Patent No. 5,805,702

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned hereby certifies that service was made on Patent Owner as detailed below.

Date of Service: August 15, 2014

Manner of Service: Electronic Mail; and
The Patent Review Processing System.

Documents Served: JOINT CERTIFICATION REGARDING JOINT
MOTION TO TERMINATE

Persons Served:

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Dated: August 15, 2014

/s/ James C. Yoon

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