

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BLACKBERRY CORPORATION AND BLACKBERRY LIMITED
Petitioners

v.

MOBILEMEDIA IDEAS LLC
Patent Owner

Case IPR2013-00016 (JYC)
Patent U.S. 6,441,828

**JOINT MOTION TO TERMINATE PROCEEDING IN VIEW OF
SETTLEMENT PURSUANT TO 35 U.S.C. §317(a),**

**JOINT NOTICE OF SETTLEMENT PURSUANT TO 35 U.S.C.
§317(b) AND 37 C.F.R. § 42.74, AND**

**JOINT REQUEST TO KEEP SEPARATE PURSUANT TO 35 U.S.C.
§317(b) AND 37 C.F.R. § 42.74(c)**

The Patent Owner and the Petitioners (collectively “the Parties”) have reached a settlement and jointly request that the Board terminate this *Inter Partes* Review (“IPR”) and cancel the Oral Argument. The Patent Owner requests that the Board enter the pending Motion to Amend, and the Petitioners agree not to oppose entry of the Motion to Amend. The Parties jointly request that the Board treat the Settlement Agreement as business confidential information and keep it separate from the file of the involved patent.

Statement of Precise Relief Requested

The Patent Owner requests that the Board grant “Patent Owner’s Motion to Amend the Patent” (“Motion to Amend”) filed with the Patent Trial and Appeal Board (“PTAB”) on May 20, 2013, which asks the PTAB to cancel claims 6, 7, 15, 16, and 18 of the ’828 Patent and replace them with proposed substitute claims 19, 20, 21, 22, and 23 set out in the Motion to Amend. The Petitioners agree not to oppose entry of the Motion to Amend.

The Parties jointly request that the Board terminate this IPR and cancel the Oral Argument, currently scheduled for 18 October 2013 at 3:30 PM.

The Parties jointly request that the Board treat the Settlement Agreement, Ex. 2012, as business confidential information and keep it separate from the file of the involved patent, and made available only to Federal Government agencies on written request or to any person only on a showing of good cause.

Statement of Reasons for the Relief Requested

The Parties have reached a settlement agreement regarding their disputes relating to U.S. Patent 6,441,828 (“the “828 Patent”). Because the Board has not decided this IPR on its merits, the Parties jointly request that the Board terminate this IPR pursuant to 35 U.S.C. §317(a). The Parties also jointly request that the Board cancel the Oral Argument, currently scheduled for 18 October 2013 at 3:30 PM.

The Patent Owner requests that the Board grant MobileMedia’s “Patent Owner’s Motion to Amend the Patent” (“Motion to Amend”) filed with the Patent Trial and Appeal Board (“PTAB”) on May 20, 2013, which asks the PTAB to cancel claims 6, 7, 15, 16, and 18 of the ’828 Patent and replace them with proposed substitute claims 19, 20, 21, 22, and 23 set out in the Motion to Amend. Petitioners agree not to oppose entry of the Motion to Amend.

The Parties file a copy of the settlement agreement (Ex. 2013) with the PTAB, as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74.

The Parties jointly request that this Settlement Agreement be treated as business confidential information and be kept separate from the file of the involved patent, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.70(c). Ex. 2013 is being submitted concurrently herewith having “availability” in the PRPS system of “Parties and Board Only.” The Parties jointly request that this settlement

agreement (Ex. 2013) be made available only to Federal Government agencies on written request or to any person only on a showing of good cause.

If any fees are due in connection with this matter, the Commissioner is hereby authorized to charge them to Attorney Deposit Account 50-3081.

Date: October 17, 2013

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Attorney for Patent Owner

/Robert C. Mattson Reg. No. 42, 850 /
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EXHIBIT APPENDIX

Exhibit	Description
2001	Declaration of Dr. Vijay K. Madiseti, dated May 20, 2013
2002	CV of Dr. Vijay K. Madiseti
2003	Proposed new claims marked up to show changes from the original '828 patent claims for which they are proposed as substitutes
2004	Clean version of proposed new claims
2005	Japanese Patent Application JP-10-254231
2006	Japanese Patent Application JP 11-016215
2007	Certified Translation of JP 10-254231
2008	Certified Translation of JP 11-016215
2009	Markman Order in <i>MobileMedia Ideas, LLC v. Research In Motion, Ltd</i> , Civil Action No. 3:11-CV-2353-N (N.D. Tex.), dated February 27, 2013
2010	U.S. Patent Application No. 08/384,012
2011	Second Declaration of Dr. Vijay K. Madiseti, dated August 19, 2013
2012	Presentation Slides
2013	Settlement Agreement (Business Confidential)

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