

DOCKET NO.: 0107131-00271US2

Filed on behalf of Intel Corporation

By: Richard Goldenberg, Reg. No. 38,895

David L. Cavanaugh, Reg. No. 36,476

Wilmer Cutler Pickering Hale and Dorr LLP

1875 Pennsylvania Ave., NW

Washington, DC 20006

Tel: (202) 663-6000

Email: Richard.Goldenberg@wilmerhale.com

David.Cavanaugh@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

INTEL CORPORATION

Petitioner

v.

Zond, LLC, Patent Owner of  
U.S. Patent No. 6,853,142 to Roman Chistyakov

IPR Trial No. 2014-00495

---

JOINT MOTION TO TERMINATE PROCEEDING  
PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.72

Pursuant to 35 U.S.C. §317 and 37 C.F.R. § 42.72, Patent Owner Zond LLC (“Patent Owner”) and Petitioner Intel Corporation (“Petitioner”) (collectively, “the Parties”) jointly request termination of *Inter Partes* Review No. IPR2014-00495, involving claims 2, 11, 13, 14 and 16 of U.S. Patent 6,853,142.

The Parties have settled all of their disputes involving the following patents U.S. Patents Nos. 6,805,779 B2 (the “779 patent”), 6,806,652 B1 (the “652 patent”), 6,853,142 B2 (the “142 patent”), 7,147,759 (the “759 patent”), 7,604,716 B2 (the “716 patent”), 7,808,184 B2 (the “184 patent”), and 7,811,421 B2 (the “421 patent”). More specifically, the Parties have agreed to settle and dismiss their related district court litigation (1:13-cv-11570-RGS (*Zond v. Intel Corp.*)). The Parties have also agreed to jointly request termination of this proceeding and all IPRs filed by Intel for the above listed patents<sup>1</sup>.

<b><i>Zond patent</i></b>	<b><i>Intel IPRs relating to patent</i></b>
‘759 patent	IPR2014-00443 IPR2014-00444 IPR2014-00445 IPR2014-00446 IPR2014-00447
‘184 patent	IPR2014-00455 IPR2014-00456
‘421 patent	IPR2014-00468 IPR2014-00470 IPR2014-00473

<sup>1</sup> The Parties are submitting a Joint Motion to Terminate Proceeding in each of the IPRs filed by Intel in the above identified patents.

'142 patent	IPR2014-00494 IPR2014-00495 IPR2014-00496 IPR2014-00497 IPR2014-00498
'716 patent	IPR2014-00520 IPR2014-00521 IPR2014-00522 IPR2014-00523
'779 patent	IPR2014-00598 IPR 2014-00686 IPR 2014-00765 IPR 2014-00820 IPR 2014-00913
'652 patent	IPR2014-00843 IPR2014-00923 IPR 2014-00945

Pursuant to 37 C.F.R. § 42.74(b), the Parties' settlement agreement and any collateral agreements made in contemplation of termination of the proceeding are in writing, and true and correct copies of such documents are being filed as Exhibit 1018 in related proceeding IPR 2014-00494.

The Parties hereby jointly request that the settlement related agreements be treated as business confidential information and be kept separate from the files of the above captioned IPR pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

**I. Background**

Petitioner filed several requests for *Inter Partes* Review, as summarized above. The Board has instituted *Inter Partes* Review on all challenged claims of the '759, '421, and '184 patents, and has not issued a decision on institution

regarding the remaining patents. Specifically, a trial was instituted in the following IPRs:

<i>Zond patent</i>	<i>Intel IPRs relating to patent</i>
'759 patent	IPR2014-00443 IPR2014-00444 IPR2014-00445 IPR2014-00446 IPR2014-00447
'184 patent	IPR2014-00455 IPR2014-00456
'421 patent	IPR2014-00468 IPR2014-00470 IPR2014-00473

Decision on institution has not yet been ordered for the following IPRs:

<i>Zond patent</i>	<i>Intel IPRs relating to patent</i>
'142 patent	IPR2014-00494 IPR2014-00495 IPR2014-00496 IPR2014-00497 IPR2014-00498
'716 patent	IPR2014-00520 IPR2014-00521 IPR2014-00522 IPR2014-00523
'779 patent	IPR2014-00598 IPR 2014-00686 IPR 2014-00765 IPR 2014-00820 IPR 2014-00913
'652 patent	IPR2014-00843 IPR2014-00923 IPR 2014-00945

On September 4, 2014, the Parties agreed to settle all of their disputes involving U.S. Patent Nos. 6,805,779 B2, 6,806,652 B1, 6,853,142 B2, 7,147,759 B2, 7,604,716 B2, 7,808,184 B2, and 7,811,421 B2, including all litigation and Patent Office proceedings related thereto.

On September 4, 2014, the Parties informed the Board of the settlement and requested a phone conference with the Board requesting authorization to file a joint motion to terminate the proceeding with respect to both the Patent Owner and the Petitioner. In a conference call with the Board on September 8, 2014, the Parties confirmed that settlement had been reached.

As more fully set forth in the Order for Conduct of the Proceedings, September 9, 2014 (Paper 16 of IPR2014-00443) (“Order”), the Board authorized the filing of the requested joint motion to terminate this proceeding as to both parties.

## **II. Termination as to Patent Owner and Petitioner Is Appropriate**

A. The following is a brief explanation as to why termination as to the Parties is appropriate which is presented by both parties.

Termination of this IPR is appropriate as the Board has not yet “decided the merits of the proceeding” on several of the proceedings noted above. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012).

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.