

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORP.,
Petitioner,

v.

VIRNETX, INC.,
Patent Owner.

Case IPR2014-00615
Patent 7,921,211 B2¹

Before MICHAEL P. TIERNEY, KARL D. EASTHOM, and
STEPHEN C. SIU, *Administrative Patent Judges*.

EASTHOM, *Administrative Patent Judge*.

JUDGMENT

Termination of the Proceedings
35 U.S.C. § 317
37 C.F.R. §§ 42.72, 42.73, 42.74

¹ Case IPR2014-00618 has been consolidated with the instant proceeding. A copy of the Judgment will be entered in each proceeding.

On December 19, 2014, and pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74, the parties filed a copy of a settlement agreement (Ex. 2044) along with a joint request to treat the settlement agreement as business confidential, to be separate from the patent file (Paper 15). In addition, the parties filed a joint motion to terminate the proceeding pursuant to 35 U.S.C. § 317. Paper 14.

Patent Owner has not filed a Patent Owner Response. Issues raised during the trial have not been briefed fully, and the Board has not decided the merits of the proceeding. Based on the facts of this case, it is appropriate to enter judgment.² Therefore, the joint motion to terminate the proceeding is GRANTED.

Accordingly, it is

ORDERED that the parties' request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file, is GRANTED;

FURTHER ORDERED that the joint motion to terminate the proceeding is GRANTED;

FURTHER ORDERED that the proceeding are TERMINATED.

² A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

IPR2014-00615 and IPR2014-00618
Patent 7,921,211 B2

For PETITIONER:

W. Karl Renner
Kevin E. Greene
FISH & RICHARDSON P.C.
axf@fr.com
IPR38868-0007IP1@fr.com

For PATENT OWNER:

Joseph E. Palys
Naveen Modi
PAUL HASTINGS LLP
josephpalys@paulhastings.com
naveenmodi@paulhastings.com

Jason E. Stach
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP
jason.stach@finnegan.com