

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2014-01034
Patent 5,894,506

Before MIRIAM L. QUINN, MEREDITH C. PETRAVICK, and
SCOTT A. DANIELS, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

JUDGMENT
Termination of Proceeding
37 C.F.R. § 42.72

On April 22, 2015, the parties filed a joint motion to terminate the instant proceedings pursuant to a settlement agreement. IPR2014-01034, Paper 13. The parties also filed a true copy of their written settlement agreement, made in connection with the termination of the instant proceeding, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Exhibit 2006. Additionally, the parties submitted a joint request to have their settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 14.

The instant proceeding is in its early trial stage, before the due date for patent owner's response. The motion is unclear as to whether Petitioner will not participate further in the proceeding regardless of whether the panel grants the motion to terminate. Nevertheless, we are persuaded that termination as to Petitioner is proper as we have not decided the merits of the proceeding.

Patent Owner filed separately, as Exhibit 2007, additional and lengthy arguments as to why it would be appropriate for the panel to terminate the proceeding as to Patent Owner. Those arguments should have been presented in the body of the motion, not as an attachment to the motion, as the arguments form part of the full statement of the reasons for the relief requested in a motion to terminate. *See* 37 C.F.R. §42.22(a)(2). Therefore, the arguments will not be considered.

Upon consideration of the request before us, giving strong preference for settlements early in the proceeding and that no further disputes with Petitioner remain, terminating the instant proceedings with regard to both Petitioner and Patent Owner promotes efficiency and minimizes unnecessary

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costs. Based on the posture of this case, it is appropriate to enter judgment.¹
See 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

Accordingly, it is:

ORDERED that the joint motion to terminate IPR2014-01034 is
granted;

FURTHER ORDERED that the instant proceeding is hereby
terminated as to the parties: Petitioner and Patent Owner; and

FURTHER ORDERED that the parties' joint request that the
settlement and agreement be treated as business confidential information
kept separate from the patent file, and made available only as provided by
35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*.

¹ A *judgment* means a final written decision by the Board, or a *termination of a proceeding*. 37 C.F.R. § 42.2.

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PETITIONER:

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