

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
and
T-MOBILE USA, INC., and T-MOBILE US, INC.,
Petitioner,

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2014-01035 (Patent 5,659,891)¹
Case IPR2014-01036 (Patent 5,915,210)²

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

¹ This case was joined with IPR2015-00018 on Apr. 8, 2015. Paper 16.

² This case was joined with IPR2015-00015 on Apr. 8, 2015. Paper 15.

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On April 22, 2015, Petitioner Apple Inc. and Patent Owner filed a joint motion to terminate the instant proceedings pursuant to a settlement agreement. IPR2014-01035, Paper 14; IPR2014-01036, Paper 13.³ The parties also filed, with “Board only” accessibility, 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 2001. 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 15.

The instant proceeding is in its early trial stage, before the due date for patent owner’s response. The parties state that Petitioner Apple will not participate further in the proceedings even if the Board does not grant the motion to terminate. We determine that termination as to Petitioner is proper, as we have not decided the merits of the proceeding.

Upon consideration of the requests before us and based on the facts of this case, it is appropriate to enter judgment.⁴ *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

Accordingly, it is:

ORDERED that the joint motions to terminate IPR2014-01035 and IPR2014-01036 are *granted*;

FURTHER ORDERED that the instant proceedings are hereby *terminated* as to Petitioner Apple only;

³ The filings in each of these proceedings are identical, and, therefore, we refer from here on to the filings in case IPR2014-01035.

⁴ 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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FURTHER ORDERED that the parties' joint requests 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), are *granted*.

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