

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FUJITSU NETWORK COMMUNICATIONS, INC.
Petitioner

v.

THOMAS SWAN & CO., LTD.
Patent Owner

Case IPR2014-01381 (Patent 8,335,033)
Case IPR2014-01382 (Patent 8,089,683)
Case IPR2014-01383 (Patent 7,145,710)
Case IPR2014-01384 (Patent 7,664,395)¹

Before GLENN J. PERRY, MICHELLE R. OSINSKI, SCOTT A.
DANIELS, and BARBARA A. PARVIS, *Administrative Patent Judges*.

PERRY, *Administrative Patent Judge*.

ORDER AUTHORIZING JOINT MOTIONS TO TERMINATE

An email from Patent Owner's Counsel, dated October 23, 2014 and copied to Counsel for Petitioner, indicates that the parties wish to file joint

¹ This order deals with issues common to four cases. The parties are not authorized to use a joint caption and must file documents separately in each case.

Cases IPR2014-01381, -01382, -01383, and -01384
Patents 8,335,033, 8,089,683, 7,145,710, and 7,664,395

motions to terminate each of the above-captioned proceedings because they have settled matters between them related to each of the involved patents. Authorization to file similar motions has been requested in cases² relating to the same patents brought by a different petitioner.

The below ORDER authorizes the filing of a joint motion in each of the following four cases: IPR2014-01381, IPR2014-01382, IPR2014-01383, and IPR2014-01384. Even though this ORDER pertains to four cases, the parties must file a separate motion for each case. With each joint motion, the parties are required to file with the Board a true and complete copy of all settlement agreements between them related to the patent at issue, as well as any collateral agreements referenced in the settlement agreements. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(b). Redacted copies are insufficient. These can be filed as exhibits uploaded to the PRPS system. Each joint motion should update the Board as to the status of any other matters involving the patents at issue.

The parties may request that the settlement agreements be treated as confidential business information and kept separate from the underlying patent file. *See* 37 C.F.R. § 42.74(c). In that event, the confidential agreements should be uploaded to the PRPS system as “Parties and Board Only” material. Attention of the parties is directed to FAQ G2 on the Board’s website page at <http://www.uspto.gov/ip/boards/bpai/prps.jsp> for instructions on how to file a settlement agreement as confidential.

² IPR2014-00460, IPR2014-00461, IPR2014-00462, and IPR2014-00465.

Cases IPR2014-01381, -01382, -01383, and -01384
Patents 8,335,033, 8,089,683, 7,145,710, and 7,664,395

ORDER

It is hereby

ORDERED that the parties are authorized to file, within 10 business days from the date of this ORDER, a joint motion to terminate each of the following four cases: IPR2014-01381, IPR2014-01382, IPR2014-01383, and IPR2014-01384 with respect to both Petitioner and Patent Owner;

FURTHER ORDERED that no further motions are authorized at this time.

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