

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC., LG ELECTRONICS U.S.A., INC., and
LG ELECTRONICS MOBILECOMM U.S.A., INC.,
Petitioner,
v.
CYPRESS SEMICONDUCTOR CORP.,
Patent Owner.

Cases¹ IPR2014-01386 (Patent 6,012,103)
IPR2014-01396 (Patent 6,249,825 B1)
IPR2014-01405 (Patent 6,493,770 B1)

Before SALLY C. MEDLEY, DONNA M. PRAISS, and
PATRICK M. BOUCHER, *Administrative Patent Judges*.

PRAISS, *Administrative Patent Judge*.

JUDGMENT

Granting Joint Motion to Terminate the Proceeding
37 C.F.R. §§ 42.72, 42.73

ORDER

Dismissing Patent Owner's Motion to Seal
37 C.F.R. §§ 42.14, 42.54

¹ This Decision addresses issues that are identical in all three cases. We exercise our discretion to issue one Decision to be filed in each case.

IPR2014-01386 (Patent 6,012,103)
IPR2014-01396 (Patent 6,249,825 B1)
IPR2014-01405 (Patent 6,493,770 B1)

On July 31, 2015, the parties filed a joint motion to terminate this proceeding, as authorized by the Board on July 29, 2015. The parties also filed a true copy of their written 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) and confirmed by email to the Board dated August 5, 2015. In addition, the parties filed a joint request to have their agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *See, e.g.*, IPR2014-01386 (Papers 22, 23; Ex. 2061). The joint motion requests termination of the proceedings and further explains that the related litigation has been dismissed with an order dismissing Patent Owner's claims with prejudice and Petitioner's counterclaims without prejudice.

At this juncture in the proceedings, a decision to institute trial was entered and Patent Owner filed a response along with an unopposed motion to seal Exhibits² 2029, 2030, 2038–2045, 2047–2050, 2053, and 2054 accompanied by a proposed protective order. Petitioner's reply is not yet due. *See, e.g.*, IPR2014-01386 (Papers 8, 18, 19, 20, 21). At this stage in the proceedings, therefore, the Board does not have before it full briefing on the trial issues, the case has not been heard, and the Board has not entered a final decision.

Based on the facts of these cases, it is appropriate to enter judgment³ without rendering a final written decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. In entering judgment, we find it unnecessary to rely on documents the Patent Owner

² The exhibit numbers are the same in each of Patent Owner's motions to seal in the captioned proceedings.

³ 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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IPR2014-01396 (Patent 6,249,825 B1)
IPR2014-01405 (Patent 6,493,770 B1)

seeks to maintain as sealed, and, therefore, we expunge from the record the sealed documents and dismiss the Patent Owner's motions to seal.

It is

ORDERED that the parties' joint requests that the agreement be treated as business confidential information are *granted*;

FURTHER ORDERED that the joint motions to terminate the proceedings are *granted*;

FURTHER ORDERED that the proceedings are *terminated*;

FURTHER ORDERED that Patent Owner's motions to seal exhibits 2029, 2030, 2038–2045, 2047–2050, 2053, and 2054 are *dismissed*; and

FURTHER ORDERED that Patent Owner's unredacted response (IPR2014-01386, Paper 20; IPR2014-01396, Paper 19; IPR2014-01405, Paper 19), unredacted Exhibit 2018, and Exhibits 2029, 2030, 2038–2045, 2047–2050, 2053, and 2054 be expunged from the record.

IPR2014-01386 (Patent 6,012,103)
IPR2014-01396 (Patent 6,249,825 B1)
IPR2014-01405 (Patent 6,493,770 B1)

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