UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BLACKBERRY CORP.,
Petitioner,
v.
CYPRESS SEMICONDUCTOR CORP.,
Patent Owner.

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Case IPR2014-01496
Patent U.S. 8,059,015

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Cases IPR2014-01470 (Patent 8,004,497 B2)
IPR2014-01483 (Patent 8,519,973 B1)
IPR2014-01488 (Patent 6,012,103)
IPR2014-01492 (Patent 6,493,770 B1)
IPR2014-01495 (Patent 6,249,825 B1)
IPR2014-01496 (Patent 8,059,015 B2)

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

MEDLEY, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

Petitioner filed petitions for *inter partes* review of the six involved patents. Patent Owner's preliminary responses are not yet due and no determination to institute trial has been made.

On November 17, 2014, the parties informed the Board that the parties have reached a settlement agreement. The parties seek authorization from the Board to file a joint motion to terminate the proceeding pursuant to 35 U.S.C. § 317.

Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). The rule governing settlement indicates that any agreement between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and filed with the Board. 37 C.F.R. § 42.74.

Based on the facts of these proceedings, the parties are authorized to, and shall file, in addition to the settlement agreement, a joint motion to terminate the proceeding briefly explaining why termination is appropriate in these cases. The joint motion also should update the Board as to the status of any other matters involving the patents at issue. The parties also must file, as an exhibit, a true copy of their settlement agreement, including all exhibits or attachments thereto, to terminate the proceedings. A redacted version of the settlement agreement will not be accepted as a true copy of the settlement agreement. Any request that the agreement be treated as business confidential information and be kept separate from the files of the involved patent must be filed with the settlement agreement. 37 C.F.R. § 42.74(c). The parties are 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 their settlement agreement as confidential (*e.g.*, uploading as "Parties and Board Only").

The joint motion to terminate and the settlement agreement shall be filed no later than November 25, 2014.

Accordingly, it is

ORDERED that the parties are authorized to file a separate joint motion to terminate in each proceeding;

FURTHER ORDERED that the joint motions are due no later than November 25, 2014; and

FURTHER ORDERED that the joint motions shall be accompanied by a true copy of the settlement agreement as required by 37 C.F.R. § 42.74(b);

FURTHER ORDERED that the parties may request that the settlement agreement be treated as business confidential information as specified by 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that any confidential settlement agreement must be filed electronically via the Patent Review Processing System (PRPS) in accordance with the instructions provided on the Board's website (*e.g.*, uploading as "Parties and Board Only"); and

FURTHER ORDERED that the remaining times in the proceedings for taking action are *vacated*.

PETITIONER:
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