

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MARVELL SEMICONDUCTOR, INC.,
MEDIATEK INC., and
MEDIATEK USA, INC.,
Petitioner,

v.

BANDSPEED, INC.,
Patent Owner.

Case IPR2015-00314 (Patent 7,477,624 B2)
Case IPR2015-00315 (Patent 7,477,624 B2)
Case IPR2015-00316 (Patent 7,477,624 B2)
Case IPR2015-00531 (Patent 8,542,643 B2)¹

Before BART A. GERSTENBLITH, DAVID C. McKONE, and
PATRICK M. BOUCHER, *Administrative Patent Judges*.

BOUCHER, *Administrative Patent Judge*.

¹ This Order addresses the same issue in four captioned *inter partes* reviews. The parties are not authorized to use this style of filing in subsequent papers without prior authorization.

IPR2015-00314 (Patent 7,477,624 B2)
IPR2015-00315 (Patent 7,477,624 B2)
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DECISION
Joint Motions to Terminate
37 C.F.R. § 42.74

On June 2, 2015, Marvell Semiconductor, Inc. (“Marvell”) and Bandspeed, Inc. (“Bandspeed”) jointly requested that each of the captioned proceedings (“these proceedings”) be terminated with respect to Marvell pursuant to 35 U.S.C. § 317. Paper 9.² The parties represent that “the dispute between the parties has been resolved, and further, the parties have agreed to terminate this *inter partes* review.” *Id.* The parties further represent that “Petitioner MediaTek [presumably both MediaTek Inc. and MediaTek USA, Inc.] does not oppose termination of the instant proceeding with respect to Petitioner Marvell.” *Id.*

With their Motions to Terminate, Marvell and Bandspeed filed what they represent is a “true copy of their written agreement” as Exhibit 1017. *Id.* The motions do not include a representation that all collateral agreements between the parties have been filed. The parties clarified in a conference call with the Board on June 10, 2015, that no collateral agreements between the parties exist, and that Exhibit 1017 provides the full agreement between the parties. The parties request that the agreement be treated as business confidential information under 35 U.S.C. § 317(b), and concurrently filed Motions to Seal in each of the proceedings. Paper 10.

Each of these proceedings is in an early stage and no decision whether

² Citations are to IPR2015-00314.

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to institute *inter partes* reviews has been made. Under these circumstances, we determine that it is appropriate to terminate these proceedings as to Marvell. The proceedings are not terminated with respect to MediaTek Inc. or MediaTek USA, Inc. The Motions to Seal are granted.

It is

ORDERED that the joint Motions to Terminate the captioned proceedings with respect to Marvell are *granted*;

FURTHER ORDERED that the Motions to Seal are *granted*, and that the joint requests that the settlement agreement be treated as business confidential information and be kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b), i.e., to be made available only to Federal Government agencies on written request, or to any person on a showing of good cause, are *granted*;

FURTHER ORDERED that each of the captioned proceedings will continue with MediaTek Inc. and MediaTek USA, Inc., as named petitioners.

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FOR PETITIONER:

Lori A. Gordon
Robert E. Sokohl
Jeffrey T. Helvey
STERNE, KESSLER, GOLDSTEIN & FOX
lgordon-PTAB@skgf.com
rsokohl-PTAB@skgf.com
jhelvey-PTAB@skgf.com

FOR PATENT OWNER:

Gregory S. Donahue
DINOVO PRICE ELLWANGER & HARDY LLP
gdonahue@dpelaw.com
docketing@dpelaw.com

David O. Simmons
IVC PATENT AGENCY
dsimmons1@sbcglobal.net