

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
HTC CORPORATION, HTC AMERICA, INC.,
Petitioners

v.

SUMMIT 6 LLC,
Patent Owner

Case IPR2015-00806:
Patent 7,765,482

**PETITIONERS HTC CORPORATION AND HTC AMERICA, INC.'S
AND
PATENT OWNER SUMMIT 6 LLC'S
JOINT MOTION TO FILE SETTLEMENT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION PURSUANT TO 35 U.S.C. § 317**

UPDATED EXHIBIT LIST

Exhibit 1001	U.S. 7,765,482 (“the ’482 patent”)
Exhibit 1002	Complaint in <i>Summit 6 LLC v. HTC Corp., et al.</i> , No. 7:14-cv-00014-O (N.D. Tex. Feb. 18, 2014) (ECF No. 1), served on Real Parties in Interest on February 25 & 26, 2014.
Exhibit 1003	Declaration of Dr. Paul Clark
Exhibit 1004	U.S. 6,930,709 to Creamer <i>et al.</i> (“Creamer”)
Exhibit 1005	U.S. 6,223,190 to Aihara <i>et al.</i> (“Aihara”)
Exhibit 1006	U.S. 6,018,774 to Mayle <i>et al.</i> (“Mayle”)
Exhibit 1007	U.S. 6,035,323 to Narayen <i>et al.</i> (“Narayen”)
Exhibit 1008	Provisional Application No. 60/085,585, filed on May 15, 1998 (“Creamer ’98”)
Exhibit 1009	Provisional Application No. 60/067,310, filed Dec. 4, 1997 (“Creamer ’97”)
Exhibit 1010	<i>Ex-parte</i> Re-Examination No. 90/012,987, Applicant Arguments & Remarks Made in an Amendment, March 31, 2014
Exhibit 1011	Plaintiff’s Opening Claim Construction Brief in <i>Summit 6 LLC v. HTC Corp., et al.</i> , No. 7:14-cv-00014-O (N.D. Tex. Feb. 18, 2014) (ECF No. 217)
Exhibit 1012	Civil Summons and Proof of Service for Real Parties in Interest in <i>Summit 6 LLC v. HTC Corp., et al.</i> , No. 7:14-cv-00014-O (N.D. Tex. Feb. 18, 2014) (ECF Nos. 11, 13, 14)
Exhibit 1013	Joint Claim Construction and Prehearing Statement in <i>Summit 6 LLC v. HTC Corp., et al.</i> , No. 7:14-cv-00014-O (N.D. Tex. Feb. 18, 2014) (ECF No. 149)
Exhibit 1014	Joint Notice of Settlement in <i>Summit 6 LLC v. HTC Corp., et al.</i> , No. 7:14-cv-00014-O (N.D. Tex. Feb. 18, 2014) (ECF No. 238)
Exhibit 1015	Settlement Agreement between HTC Entities and Summit 6 LLC, marked as Business Confidential Information

I. BACKGROUND

In an e-mail sent on June 9, 2015, the Board authorized Petitioners HTC Corporation and HTC America, Inc. (“HTC”) and Patent Owner Summit 6 LLC (“Summit 6”) to file a settlement agreement in support of a joint motion to terminate the above-captioned inter partes review, Case No. IPR2015-00806 (the “Review”), with respect to HTC. If requested, the parties are entitled to have any filed agreement be treated as business confidential information, and be kept separate from the files of the involved patent. 37 C.F.R. § 42.74(c).

In a concurrent filing, HTC and Summit 6 have jointly requested termination of the above-captioned inter partes review with respect to HTC. They have also submitted, as part of that joint request, a true copy of the settlement agreement between them as Exhibit 1015.

II. STATEMENT OF RELIEF REQUESTED

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), HTC and Summit 6 jointly request that the Settlement Agreement, which is filed as Exhibit 1015, be treated as business confidential information and kept separate from the file of the involved parties.

The Patent Trial and Appeal Board is hereby authorized to charge any fees associated with this filing to Deposit Account No. 20-1430.

Respectfully submitted,

U.S. Patent No. 7,765,482
IPR2015-00806

Date: June 9, 2015

/s/John Alemanni

John C. Alemanni (Reg. No. 47,384)

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Date: June 9, 2015

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LEE & HAYES, PLLC

Counsel for Patent Owner

Summit 6 LLC

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4) and 42.205(b), the undersigned hereby certifies that a copy of this **JOINT MOTION TO FILE SETTLEMENT**

AGREEMENT AS BUSINESS CONFIDENTIAL INFORMATION

PURSUANT TO 35 U.S.C. § 317, together with Exhibit 1015, have been served

via electronic mail on June 9, 2015, upon the following:

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