

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC., HTC CORPORATION, and HTC AMERICA, INC.,
Petitioner,

v.

SUMMIT 6 LLC,
Patent Owner.

Case IPR2015-00806
Patent 7,765,482 B2

Before HOWARD B. BLANKENSHIP, GEORGIANNA W. BRADEN, and
KERRY BEGLEY, *Administrative Patent Judges*.

BEGLEY, *Administrative Patent Judge*.

DECISION

Joint Motion to Terminate Involvement of the HTC Entities;
Joint Motion to File Settlement Agreement as Business Confidential
Information

37 C.F.R. §§ 42.5, 42.71, 42.74

On June 9, 2015, Petitioners HTC Corporation and
HTC America, Inc. (collectively, "HTC Entities") and Patent Owner
Summit 6 LLC ("Summit 6") filed a Joint Motion to Terminate Involvement

of the HTC Entities (“Joint Motion to Terminate”). Paper 9. The Joint Motion to Terminate requests that we terminate the HTC Entities from this case because the HTC Entities and Summit 6 have entered into a Settlement Agreement. *Id.* Along with the motion, the parties filed a copy of their Settlement Agreement in accordance with 37 C.F.R. § 42.74(b). Ex. 1015. The parties also submitted a Joint Motion to File Settlement Agreement as Business Confidential Information Pursuant to 37 C.F.R. § 42.74(c). Paper 10. For the reasons set forth below, both motions are granted.

In their Joint Motion to Terminate, the HTC Entities and Summit 6 indicate that their Settlement Agreement resolves all disputes between them involving the patent-at-issue in this case, U.S. Patent No. 7,765,482 B2 (“the ’482 patent”). *See* Paper 9, at 1. In addition, the motion points out that this case is in its initial phase. *Id.* Summit 6 has not filed a Preliminary Response to the Petition. The Board also has not determined whether to institute *inter partes* review pursuant to 35 U.S.C. § 314.

Upon consideration of the facts before us, we determine that it is appropriate to terminate the HTC Entities’ involvement in this case and to dismiss the HTC Entities as parties to the case. *See* 37 C.F.R. §§ 42.5(a), 42.71(a), 42.74; Paper 9, at 1–2. We note that the termination of the HTC Entities’ involvement in this case does not terminate the case, because Google Inc. remains as a petitioner. *See* Paper 9, at 1.

Turning to the Joint Motion to File Settlement Agreement as Business Confidential Information Pursuant to 37 C.F.R. § 42.74(c), we determine that the HTC Entities and Summit 6 have complied with the requirements of 37 C.F.R. § 42.74(c) to have their Settlement Agreement treated as business confidential information and kept separate from the files of the ’482 patent.

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ORDER

For the foregoing reasons, it is:

ORDERED that the Joint Motion to Terminate Involvement of the HTC Entities (Paper 9) is *granted*;

FURTHER ORDERED that the case continues with Google Inc. as the petitioner;

FURTHER ORDERED that any subsequent papers filed in this case should not include HTC Corporation and HTC America, Inc. in the caption; and

FURTHER ORDERED that the Joint Motion to File Settlement Agreement as Business Confidential Information (Paper 10) is *granted*.

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