

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VERIZON SERVICES CORP., VERIZON SOUTH INC., VERIZON  
VIRGINIA LLC, VERIZON COMMUNICATIONS INC., VERIZON  
FEDERAL INC., VERIZON BUSINESS NETWORK SERVICES INC.,  
AND MCI COMMUNICATIONS SERVICES, INC.,  
Petitioner,

v.

SPHERIX INCORPORATED,  
Patent Owner.

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Case IPR2015-01381  
Patent 6,980,564 B1

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Before THOMAS L. GIANNETTI, MATTHEW R. CLEMENTS, and  
ROBERT L. KINDER, *Administrative Patent Judges*.

KINDER, *Administrative Patent Judge*.

DECISION  
Joint Motion to Terminate  
37 C.F.R. § 42.5(a), 42.71(a)

On September 10, 2015, the parties filed a “Joint Motion to Terminate the Proceeding” along with a “Joint Request to Treat Settlement Agreement as Business Confidential Under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c)” based on a settlement agreement that resolves the parties’ disputes related to the challenged patent. Paper 6. *See also* 37 C.F.R. § 42.74(c) (“A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application.”). The parties concurrently filed a copy of the settlement agreement as Exhibit 1010.

We have not yet entered a decision on institution in this proceeding. Under these circumstances, we determine that it is appropriate to dismiss the Petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

#### ORDER

Accordingly, it is

ORDERED that the Joint Motion to Terminate is *granted*; and

FURTHER ORDERED that the settlement agreement (Exhibit 1010) be treated as business confidential information and be kept separate from the files of the involved U.S. Patent No. 6,980,564 B1.

IPR2015-01381  
Patent 6,980,564 B1

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