

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HTC CORPORATION, HTC AMERICA, INC., and
LG ELECTRONICS, INC.
Petitioner,

v.

PARTHENON UNIFIED MEMORY ARCHITECTURE LLC,
Patent Owner.

Case IPR2015-01500 (Patent 7,321,368 B2)
Case IPR2015-01501 (Patent 7,777,753 B2)
Case IPR2015-01502 (Patent 7,542,045 B2)¹

Before JAMES B. ARPIN, MATTHEW R. CLEMENTS, and
SUSAN L. C. MITCHELL, *Administrative Patent Judges*.

ARPIN, *Administrative Patent Judge*.

DECISION

Termination of the Proceeding Only as to LG Electronics, Inc.
37 C.F.R. §§ 42.72 and 42.74

¹ This Decision addresses issues pertaining to all three proceedings. Therefore, we exercise our discretion to issue one Decision to be filed in each proceeding. The parties are not authorized to use this style heading for any subsequent papers.

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I. DISCUSSION

On August 15, 2016, Petitioner entity, LG Electronics, Incorporated (“LG”), and Patent Owner, Parthenon Unified Memory Architecture Limited Liability Corporation (“Parthenon”), filed a Joint Motion to Terminate these proceedings only as to LG (IPR2015-01500, Paper 35; IPR2015-01501, Paper 35; IPR2015-01502, Paper 35), a true copy of the settlement agreement (IPR2015-01500, Ex. 2012; IPR2015-01501, Ex. 2012; IPR2015-01502 Ex. 2012), and a request to treat the settlement agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (IPR2015-01500, Paper 41; IPR2015-01501, Paper 41; IPR2015-01502, Paper 41).

This proceeding is still in its preliminary stages. On April 7, 2016, LG, along with remaining Petitioner entities, HTC Corporation and HTC America, Incorporated (collectively, “HTC”), filed a Petition requesting an *inter partes* review of claims 1, 3–6, 11, and 13 of U.S. Patent No. 5,812,789 (Ex. 1001, “the ’789 patent”). Paper 1. Parthenon waived its right to file a Preliminary Response in this proceeding. Paper 9. We have not entered a decision whether or not to institute an *inter partes* review.

In the Joint Motion to Terminate this proceeding only as to LG, LG and Parthenon represent that they have settled their disputes regarding the ’789 patent. Paper 13, 2. LG and Parthenon further represent that the ’789 patent was asserted against multiple companies in the United States District Court for the Eastern District of Texas. *Id.* at 2–3. In addition to this proceeding, LG and Parthenon represent that they are parties in the following proceedings before the Board: (1) Case IPR2015-01500; (2) Case IPR2015-01501; (3) Case IPR2015-01502; and (4) Case IPR2016-00848. *Id.* at 3. According to LG and Parthenon, they are in the

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process of filing a Joint Motion to Terminate in each of these proceedings. *Id.* Lastly, LG and Parthenon represent that the '789 patent remains at issue in the following proceedings before the Board: (1) Case IPR2016-00664; (2) Case IPR2016-00923; and (3) Case IPR2016-01135. *Id.* Under these particular circumstances, we determine that it is appropriate to terminate this proceeding only as to LG. *See* 37 C.F.R. § 42.72.

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that LG's and Parthenon's joint request to treat the settlement agreement (Ex. 2001) as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is *granted*;

FURTHER ORDERED that the Joint Motion to Terminate this proceeding only as to LG is *granted*, and LG may no longer participate as a party in this proceeding; and

FURTHER ORDERED that HTC and Parthenon will continue to participate in this proceeding as adversarial parties.

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