

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2015-01724 (Patent 5,915,210)
Case IPR2015-01726 (Patent 5,659,891)

Before MEREDITH C. PETRAVICK, SCOTT A. DANIELS, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

JUDGMENT
Termination of Proceedings
37 C.F.R. § 42.72

On April 14, 2016, Petitioner Samsung Electronics Co. Ltd., (“Samsung”) and Patent Owner filed a “Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317” (“Mot.”), and “Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317.” IPR2015-01724 Papers 14, 15; IPR2015-01726 Papers

Case IPR2015-01724 (Patent 5,915,210)

Case IPR2015-01726 (Patent 5,659,891)

12, 13.¹ The parties also filed, with “Board Only” accessibility, a true copy of their confidential settlement agreement in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Exhibit 2001.

The Board instituted trial in this proceeding on February 16, 2016 and Patent Owner’s Response is not yet due, thus, this proceeding is in its initial stages. The parties indicate that they “have settled their dispute, and have reached agreement to terminate this *inter partes* review.” Mot. 1. The motion also states that Samsung will not be a participant in these proceedings going forward and that the parties have settled their district court litigation. *Id.* at 2–3.

Patent Owner filed separately, as Exhibit 2002, additional arguments as to why it would be appropriate for the panel to terminate the proceeding as to Patent Owner. Those arguments should have been presented in the body of the motion, not as an attachment to the motion, as the arguments form part of the full statement of the reasons for the relief requested in a motion to terminate. *See* 37 C.F.R. § 42.22(a)(2). Therefore, the arguments presented in Exhibit 2002 will not be considered.

Under these circumstances and considering the parties’ arguments presented in the motion, we determine that it is appropriate to enter judgment.² *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

It is

ORDERED that the parties’ joint motions to terminate IPR2015-01724 and IPR2015-01726 are *granted*;

¹ The filings in each of these proceedings are identical, and, therefore, we refer from here on to the filings in case IPR2015-01724.

² A *judgment* means a final written decision by the Board, or a *termination* of a proceeding. 37 C.F.R. § 42.2.

Case IPR2015-01724 (Patent 5,915,210)

Case IPR2015-01726 (Patent 5,659,891)

FURTHER ORDERED that the instant proceedings are hereby terminated in their entirety; and

FURTHER ORDERED that, as was requested timely by the parties the settlement agreement in these proceedings will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

For PETITIONER:

Heath J. Briggs
GREENBERG TRAURIG, LLP
briggsh@gtlaw.com

Patrick J. McCarthy
GREENBERG TRAURIG, LLP
mccarthyp@gtlaw.com

For PATENT OWNER:

John R. Kasha
KASHA LAW LLC
john.kasha@kashalaw.com

Craig Steven Jepson
REED & SCARDINO LLP
cjepson@reedscardino.com

Kirk D. Dorius
REED & SCARDINO LLP
kdorius@reedscardino.com