

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GAMELOFT, INC.,  
Petitioner,

v.

INVENTOR HOLDINGS, LLC,  
Patent Owner.

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Case IPR2015-01771  
Patent 8,784,198

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Before SALLY C. MEDLEY, KERRY BEGLEY, and  
BETH Z. SHAW, *Administrative Patent Judges*.

SHAW, *Administrative Patent Judge*.

JUDGMENT  
Termination of Proceeding  
*37 C.F.R. § 42.72*

On October 27, 2015, the parties filed a joint motion to terminate the instant proceeding. Paper 8. In support of the motion, the parties allege that they have agreed to terminate the proceeding because, in the related district court litigation, the district court entered a decision finding all

claims of U.S. Patent No. 8,784,198 (“the ’198 patent”) invalid under 35 U.S.C. § 101. *Id.* at 2. Patent Owner agreed that the judgement was final and agreed not to appeal the district court judgement. *Id.* The parties filed a copy of a Stipulation filed in the district court, which the parties contend is the agreement required under 37 U.S.C. § 317(b). *Id.* at 3; Ex. 1012. The Stipulation states, in part, that “the parties further stipulate that Inventor Holdings waives appeal of the Final Judgment.” Ex. 1012 at 3.

Petitioner filed the Petition in this proceeding on August 19, 2015. Patent Owner has not yet filed a Preliminary Response, which is due on or before November 29, 2015. No decision whether to institute a trial has been made.

Upon consideration of the joint request before us, terminating the instant proceeding promotes efficiency and minimizes unnecessary costs. In particular, there is no remaining public interest in another determination of patentability of the ’198 patent because Patent Owner has agreed not to appeal the ruling of invalidity of all claims of the ’198 patent, as determined by the district court. Based on the facts of this case, it is appropriate to enter judgment.<sup>1</sup> *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

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<sup>1</sup> A *judgment* means a final written decision by the Board, or a *termination of a proceeding*. 37 C.F.R. § 42.2.

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Accordingly, it is:

ORDERED that the joint motion to terminate IPR2015-01771 is  
*granted*;

FURTHER ORDERED that the instant proceeding is hereby  
*terminated* as to all parties.

FOR PETITIONER:

Eric Buresh  
[eric.buresh@eriseip.com](mailto:eric.buresh@eriseip.com)

Mark Lang  
[mark.lang@eriseip.com](mailto:mark.lang@eriseip.com)

FOR PATENT OWNER:

Tarek N. Fahmi  
[tarek.fahmi@ascendalaw.com](mailto:tarek.fahmi@ascendalaw.com)

Holly J. Atkinson  
[holly.atkinson@ascendalaw.com](mailto:holly.atkinson@ascendalaw.com)