

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

LONGITUDE FLASH MEMORY SYSTEMS S.A.R.L.,
Patent Owner.

Case No. IPR2015-01949
Patent 7,818,490

JOINT MOTION TO TERMINATE PROCEEDING

PURSUANT TO 35 U.S.C. § 317

Pursuant to 35 U.S.C. § 317(a), Petitioner Apple Inc. (“Apple”) and Patent Owner Longitude Flash Memory Systems S.A.R.L. (“Longitude”) jointly request termination of IPR2015-01949 directed to U.S. Patent No. 7,818,490. Exclusive licensee Longitude Licensing Ltd. joins this request.

A Stipulation Dismissing with Prejudice between Apple and Longitude has been made in writing, and a true copy of the same is attached as Exhibit 1112. Apple and Longitude jointly certify that no agreements exist between the parties that are made in connection with, or in contemplation of, the termination of the instant proceedings, other than the Stipulation Dismissing with Prejudice attached here as Exhibit 1112.

In accordance with 35 U.S.C. § 317(a), because Apple and Longitude jointly request this termination as to Apple’s involvement in this *Inter Partes* Review, no estoppel under 35 U.S.C. § 315(e) shall attach to Apple.

1. Related District Court Litigation

Longitude has asserted U.S. Patent No. 7,818,490 against Apple in the case styled *Longitude Licensing Ltd. and Longitude Flash Memory Systems S.A.R.L. v. Apple Inc.*, No. 3:14-cv-4275, pending in the United States District Court for the Northern District of California (“the Litigation”). The District Court stayed the Litigation on October 29, 2015. Apple and Longitude have stipulated to the dismissal with prejudice of the Litigation with respect to all of the claims involving

the '490 Patent. *See* Ex. 1112. Accordingly, the '490 Patent is no longer at issue in the Litigation.

Apple and Longitude are not aware of any other litigation involving one or more of the asserted patents.

Respectfully submitted,

Dated: March 18, 2016

/s/ Brent K. Yamashita

Brent K. Yamashita
Registration No. 53,808
DLA PIPER LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2214
Telephone: 650.833.2348
Facsimile: 650.687.1206
Attorney for Petitioner

Dated: March 18, 2016

/s/ Walter D. Davis, Jr.

Walter D. Davis, Jr.
Registration No. 45,137
DAVIDSON BERQUIST
JACKSON & GOWDEY LLP
8300 Greensboro Drive, Suite 500
McLean, VA 22102
Telephone: 571.765.7700
Facsimile: 571.765.7200
Attorney for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing JOINT MOTION TO TERMINATE PROCEEDING PURSUANT TO 35 U.S.C. § 317, was served electronically via email on March 18, 2016, in its entirety on the following:

Walter D. Davis, Jr. (Reg. No. 45,137)
Wayne M. Helge (Reg. No. 56,905)
James T. Wilson (Reg. No. 41,439)
DAVIDSON BERQUIST JACKSON & GOWDEY LLP
8300 Greensboro Drive, Suite 500
McLean, VA 22102
Tel: (571) 765-7700
Email: wdavis@dbjg.com
Email: whelge@dbjg.com
Email: jwilson@dbjg.com

Dated: March 18, 2016

Respectfully submitted,

/s/Brent K. Yamashita

Registration No. 53,808
DLA PIPER LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2214
Telephone: 650.833.2348
Facsimile: 650.687.1206