

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 IPR2015-01908¹
Patent 8,050,095 B2

Before JUSTIN T. ARBES, BARBARA A. PARVIS,
GREGG I. ANDERSON, JO-ANNE M. KOKOSKI, and
MICHELLE N. WORMMEESTER, *Administrative Patent Judges*.

WORMMEESTER, *Administrative Patent Judge*.

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

¹ This Judgment addresses the same issues in the cases identified in the Appendix. Therefore, we exercise our discretion to issue one Judgment to be entered in each of the identified cases.

On March 18, 2016, the parties filed joint motions to terminate the instant proceedings pursuant to a Stipulation Dismissing with Prejudice.² Paper 9.³ The parties also filed a copy of their Stipulation, made in connection with the termination of the instant proceedings, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Paper 9, 1; Ex. 1025 (stating that the parties stipulated and agreed: “to seek termination of the Apple IPRs” and “[i]n the event that the Patent Office does not terminate all of the Apple IPRs, Apple agrees not to further participate in the Apple IPRs other than to seek termination of the proceedings”).

The instant proceedings are in early stages. The Board determined whether to institute trial in six of the proceedings on March 17, 2016,⁴ and has made no such determination in the remaining nine proceedings. The parties represent 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.” Paper 9, 1. The parties also represent that they have “stipulated to the dismissal with prejudice” of the related district court case with respect to all claims involving each of the patents identified in the Appendix. *Id.* at 1–2. The parties further represent that Exhibit 1025 is “a true copy” of the Stipulation.

² The parties indicate that “Exclusive licensee Longitude Licensing Ltd. joins this request” for termination of the instant proceedings. Paper 9, 1. We note, however, that Longitude Licensing Ltd. is not a party to any of the instant proceedings.

³ The parties filed similar papers in each of the instant proceedings. We refer to those filed in Case IPR2015-01908 for convenience.

⁴ The petitions were denied in Cases IPR2015-01910, IPR2015-01924, and IPR2015-01925. Consequently, those proceedings are no longer pending and the parties’ joint motions to terminate will be dismissed as moot.

Id. at 1. Based on these facts, we determine that it is appropriate to terminate the instant proceedings without rendering final written decisions under 37 C.F.R. § 42.72.

Accordingly, it is

ORDERED that the joint motions to terminate in Cases IPR2015-01910, IPR2015-01924, and IPR2015-01925 are *dismissed*;

FURTHER ORDERED that the joint motions to terminate the remaining proceedings are *granted*;

FURTHER ORDERED that the remaining proceedings are hereby *terminated* as to all parties, including Petitioner and Patent Owner; and

FURTHER ORDERED that a copy of this Judgment be filed in each of the cases identified in the Appendix.

Case IPR2015-01908
Patent 8,050,095 B2

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APPENDIX

| Case No. | U.S. Patent No. |
|-----------------|------------------------|
| IPR2015-01908 | 8,050,095 B2 |
| IPR2015-01909 | 7,120,729 B2 |
| IPR2015-01910 | 6,510,488 B2 |
| IPR2015-01911 | 7,181,611 B2 |
| IPR2015-01924 | 7,012,835 B2 |
| IPR2015-01925 | 7,224,607 B2 |
| IPR2015-01930 | 6,763,424 B2 |
| IPR2015-01931 | 7,970,987 B2 |
| IPR2015-01933 | 6,831,865 B2 |
| IPR2015-01934 | 8,316,177 B2 |
| IPR2015-01942 | 7,657,702 B2 |
| IPR2015-01943 | 6,968,421 B2 |
| IPR2015-01945 | 7,818,490 B2 |
| IPR2015-01949 | 7,818,490 B2 |
| IPR2015-01950 | 7,818,490 B2 |