

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AT&T SERVICES, INC.,

Petitioner,

v.

CONVERGENT MEDIA SOLUTIONS LLC,

Patent Owner.

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Case IPR2016-01761  
Case IPR2017-01235  
Patent No. 8,850,507 B2<sup>1</sup>

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JOINT MOTION TO TERMINATE PETITIONER  
PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.74

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<sup>1</sup> Case IPR2017-01235 has been joined with Case IPR2016-01761.

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74(a), Petitioner AT&T Services, Inc. (“AT&T”) and Patent Owner Convergent Media Solutions LLC (“Convergent”) (collectively, the “Parties”) jointly request termination with respect to Petitioner AT&T in the *inter partes* review of U.S. Patent No. 8,850,507 (“the ’507 Patent”). The filing of this request was authorized by Supervisory Paralegal Andrew Kellogg on June 5, 2017.

This *inter partes* review is still in its early stages. Convergent has not yet filed its Patent Owner Response, which is presently due June 6, 2017. Thus, the Board has not yet decided the merits of the proceeding.

AT&T and Convergent have reached a Settlement Agreement to end their disputes in this proceeding, a related IPR proceeding (No. IPR2017-01237 (joined with No. 2016-01814)), and the underlying litigation in the Northern District of Texas (Case No. 3:15-cv-2156-M, captioned *Convergent Media Solutions, LLC v. AT&T Services, Inc.*).

The Parties’ Settlement Agreement has been made in writing, and a true and correct copy shall be filed with this Office as business confidential information pursuant to 35 U.S.C. § 317(b). There are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of this proceeding. As stated in 35 U.S.C. § 317(a), because AT&T and Convergent request this termination as to Petitioner AT&T, no estoppel under 35

U.S.C. § 315(e) shall attach to AT&T.

For the foregoing reasons, AT&T and Convergent respectfully request termination with respect to Petitioner AT&T in the *inter partes* review of U.S. Patent No. 8,850,507, Case No. IPR2017-01235 (joined with Case IPR2016-01761).

Dated: June 5, 2017

Respectfully submitted,

BAKER BOTTS L.L.P.

/s/Kurt Pankratz/

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### **CERTIFICATE OF SERVICE**

In accordance with 37 C.F.R. §§ 42.6(e), the undersigned certifies that on the 5th day of June, 2017, a complete and entire copy of **JOINT MOTION TO TERMINATE PETITIONER PURSUANT TO 35 U.S.C. § 317 AND 37 C.F.R. § 42.74** was served, via email upon counsel for Convergent Media Solutions

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