

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

BRADIUM TECHNOLOGIES LLC,
Patent Owner.

Case IPR2016-01897
Patent 9,253,239 B2

Before BRYAN F. MOORE, BRIAN J. McNAMARA, and
MINN CHUNG, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

JUDGMENT
TERMINATION OF THE PROCEEDING

37 C.F.R. § 42.73

The parties have requested that this proceeding be terminated pursuant to a settlement. On October 16, 2017, via e-mail, the Board authorized the parties to file a Joint Motion To Terminate and a Joint Request that the Settlement Agreement Be Treated As Business Confidential Information under 37 C.F.R. 42.74(c). On October 19, 2017 the parties filed a Joint Motion Terminate, Paper 29 (“Mot. to Terminate”) and a Joint Request To File Settlement Agreement As Business Confidential Information and that it be kept separate, Paper No. 30. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. The parties also filed a copy of a written settlement agreement. Ex. 2015.

A decision by the Board to institute a trial was entered on April 5, 2017. Paper No. 17. A Patent Owner Response was filed on August 1, 2017. Paper 26. Under the amended Scheduling Order, a Petitioner Reply has not yet been filed. The parties state that no depositions have been conducted. Mot. to Terminate 1. The parties have not identified any other related matters at this time. Under these circumstances, the Board determines that it is appropriate to enter judgment¹ and terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated;

FURTHER ORDERED that the parties’ joint request that the settlement agreement be treated as business confidential information which shall be kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

¹ 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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