

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES, INC.,
Petitioner,

v.

GODO KAISHA IP BRIDGE 1,
Patent Owner.

Cases IPR2017-00753 and IPR2017-00757
Patent 6,538,324 B1
Cases IPR2017-00849 and IPR2017-00850
Patent 7,126,174 B2¹

Before JUSTIN T. ARBES, MICHAEL J. FITZPATRICK, and
JENNIFER MEYER CHAGNON, *Administrative Patent Judges*.

ARBES, *Administrative Patent Judge*.

DECISION

Granting Petitioner's Unopposed Motions to Dismiss
37 C.F.R. §§ 42.5(a) and 42.71(a)

¹ This Decision addresses an issue pertaining to all four cases. Therefore, we exercise our discretion to issue a single Decision to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

Cases IPR2017-00753 and IPR2017-00757 (Patent 6,538,324 B1)
Cases IPR2017-00849 and IPR2017-00850 (Patent 7,126,174 B2)

Pursuant to our authorization, Petitioner filed a motion to dismiss the petition in each of the instant proceedings. *See* IPR2017-00753, Paper 13 (“Mot.”); IPR2017-00757, Paper 14; IPR2017-00849, Paper 11; IPR2017-00850, Paper 11.² Petitioner states that it filed a second set of petitions in Cases IPR2017-00919, IPR2017-00920, IPR2017-00925, and IPR2017-00926 that include the same challenges and cited evidence as the petitions in the instant proceedings, but identify an additional real party-in-interest (GlobalFoundries U.S. Inc.). Mot. 3, 5. Petitioner does not identify any other differences between the original and new petitions. Petitioner argues that dismissal of the petitions in the instant proceedings “would preserve the Board’s and the parties’ resources” and would not prejudice Patent Owner. *Id.* at 4. Petitioner further states that Patent Owner does not oppose the motions. *Id.* at 2.

The instant proceedings are in the preliminary stage. Patent Owner has yet to file preliminary responses or oppositions to Petitioner’s motions for joinder, and the Board has not decided whether to institute a trial based on any of the petitions. Given that Petitioner filed substantially identical petitions in Cases IPR2017-00919, IPR2017-00920, IPR2017-00925, and IPR2017-00926, dismissal of the petitions in the instant proceedings at this early juncture would minimize the burden on the parties and the Board, and would “secure the just, speedy, and inexpensive resolution” of both sets of proceedings.³ *See* 37 C.F.R. § 42.1(b). Based on the specific facts of these

² The motions to dismiss present similar arguments and similar facts. Unless otherwise specified, we refer to the motion filed in Case IPR2017-00753 for convenience.

³ The parties have not settled their dispute.

Cases IPR2017-00753 and IPR2017-00757 (Patent 6,538,324 B1)
Cases IPR2017-00849 and IPR2017-00850 (Patent 7,126,174 B2)

proceedings, we determine that it is appropriate to dismiss the petitions. *See* 37 C.F.R. §§ 42.5(a), 42.71(a).

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner's unopposed motion to dismiss in each of the instant proceedings is *granted*; and

FURTHER ORDERED that the petition in each of the instant proceedings is dismissed under 37 C.F.R. § 42.71(a).

Cases IPR2017-00753 and IPR2017-00757 (Patent 6,538,324 B1)
Cases IPR2017-00849 and IPR2017-00850 (Patent 7,126,174 B2)

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