

Joint Motion to Terminate, IPR2017-02022
U.S. Patent 7,917,285

By: Jason R. Mudd, Reg. No. 57,700
Eric A. Buresh, Reg. No. 50,394
ERISE IP, P.A.
6201 College Blvd., Suite 300
Overland Park, KS 66211
Tel: (913) 777-5600
Email: jason.mudd@eriseip.com

Jonathan Stroud, Reg. No. 72,518
Ashraf A. Fawzy, Reg. No. 67,914
Unified Patents Inc.
1875 Connecticut Ave. NW, Floor 10
Washington, D.C., 20009
Tel: (202) 805-8931
Email: jonathan@unifiedpatents.com
Email: afawzy@unifiedpatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

GEOGRAPHIC LOCATION INNOVATIONS, LLC
Patent Owner

IPR2017-02022
Patent 7,917,285

**JOINT MOTION TO DISMISS AND TERMINATE THE PETITION
FOR *INTER PARTES* REVIEW OF U.S. PATENT 7,917,285
UNDER 37 C.F.R. 42.71(A)**

Joint Motion to Terminate, IPR2017-02022
U.S. Patent 7,917,285

Pursuant to 37 C.F.R. 42.71(a), Petitioner Unified Patents Inc. (“Unified”) and Patent Owner Geographic Location Innovations, LLC (“GLI”) jointly request dismissal and termination of the petition for *Inter Partes* Review of U.S. Patent 7,917,285 in IPR2017-02022.

Petitioner and Patent Owner have entered into a written confidential settlement agreement that fully resolves this matter. The parties are concurrently filing a copy of the settlement agreement as EX1020 along with a request to treat it as confidential business information pursuant to 35 U.S.C. § 317(b). The undersigned represents that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding and that EX1020 represents a true and accurate copy of the agreement between the parties that resolves the present proceeding.

On January 19, 2018, the Parties informed the Board of the settlement via e-mail and requested authorization to file a joint motion to terminate the petition with respect to both the Patent Owner and the Petitioner. As set forth in an e-mail dated January 22, 2018, the Board authorized the filing of the requested joint motion to terminate this petition. Accordingly, Petitioner and Patent Owner jointly request termination of the present proceeding.

Public policy favors terminating the present petition for *inter partes* review. Congress and federal courts have expressed a strong interest in encouraging settlement in litigation. *See, e.g., Delta Air Lines, Inc. v. August*, 450 U.S. 346, 352 (1981) (“The purpose of [Fed. R. Civ. P.] 68 is to encourage the settlement of litigation.”); *Bergh v. Dept. of Transp.*, 794 F.2d 1575, 1577 (Fed. Cir. 1986) (“The law favors settlement of cases.”), cert. denied, 479 U.S. 950 (1986). The Federal Circuit places a particularly strong emphasis on settlement. *See Cheyenne River Sioux Tribe v. U.S.*, 806 F.2d 1046, 1050 (Fed. Cir. 1986) (noting that the law favors settlement to reduce antagonism and hostility between parties). And, the Board’s Trial Practice Guide stresses that “[t]here are strong public policy reasons to favor settlement between the parties to a proceeding.” Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 46,768 (Aug. 14, 2012).

Ending this petition for IPR early promotes the Congressional goal of establishing a more efficient patent system by limiting unnecessary and counterproductive costs. *See Changes to Implement Inter Partes Review Proceedings, Post-Grant Review Proceedings, and Transitional Program for Covered Business Method Patents*, 77 Fed. Reg. 48,680 (Aug. 14, 2012).

Permitting termination provides certainty and fosters an environment that promotes settlements, creating a timely, cost-effective alternative to litigation.

Additionally, termination of this petition for IPR is appropriate as the Board has not yet “decided the merits of the proceeding.” *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012).

Unified filed its petition for *inter partes* review on September 1, 2017. The parties have now settled their dispute, and have reached agreement to terminate the petition. The USPTO can conserve its resources through terminating now, removing the need for the Board to further consider the arguments, to issue an Institution Decision, and to render a Final Decision.

The parties note that there is currently only one remaining district court litigation still pending in which the patent-at-issue has been asserted, *Geographic Location Innovations, LLC v. East West Bank*, Case No. 2:17-cv-00742-JRG-RSP (E.D. Tex.); however, the parties note that all deadlines in that matter have been stayed pending completion of final settlement papers.

Therefore, the Parties respectfully request termination of the petition for *Inter Partes* Review of U.S. Patent 7,917,285 (IPR2017-02022).

Joint Motion to Terminate, IPR2017-02022
U.S. Patent 7,917,285

Respectfully submitted,

BY: /s/ Jason R. Mudd

Jason R. Mudd, Reg. No. 57,700

Eric A. Buresh, Reg. No. 50,394

Jonathan Stroud, Reg. No. 72,518

Ashraf Fawzy, Reg. No. 67,914

ATTORNEYS FOR PETITIONER

BY: /s/ Jay Johnson

Jay Johnson, Reg. No. 38,193

ATTORNEY FOR PATENT OWNER

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.