

Filed on behalf of: Nichia Corp.

Paper _____

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIZIO, INC.,
Petitioner,

v.

NICHIA CORPORATION,
Patent Owner.

Case IPR2018-00437
Patent 9,537,071 B2

**PETITIONER VIZIO, INC. AND PATENT OWNER NICHIA
CORPORATION'S RENEWED JOINT MOTION TO TERMINATE THE
PROCEEDING PURSUANT TO 35 U.S.C. § 317**

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. § 317(a), Petitioner VIZIO, Inc. (“VIZIO”) and Patent Owner Nichia Corporation (“Nichia”) jointly renew their request for termination of the *inter partes* review of U.S. Patent No. 9,537,071 in case IPR2018-00437. The Board authorized the filing of this renewed motion in the Order entered on May 15, 2019 (Paper 54).

The Board has not issued a Final Written Decision deciding the merits of this proceeding. The parties have entered into a Binding Term Sheet in which the parties have agreed to cooperate to seek dismissal of this proceeding. This agreement has been made in writing, and a true and correct copy was previously filed with the Board as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) as Exhibit 2038.

In accordance with the Board’s May 15, 2019 Order (Paper 54), the parties certify (i) that all agreements or understandings, including any collateral agreements, including but not limited to licenses, covenants not to sue, confidentiality agreements, payment arrangements, or other agreements of any kind, between the parties that are made in connection with termination of this proceeding have been filed and (ii) that no other written or oral agreements or

understandings, including any collateral agreements, are made in connection with, or in contemplation of, the termination of these proceedings.

Accordingly, VIZIO and Nichia respectfully request termination of the *inter partes* reviews of U.S. Patent No. 9,537,071 in the case IPR2018-00437.

Dated: May 29, 2019

Respectfully submitted,

<p><i>/ Gabrielle E. Higgins /</i> _____ Gabrielle E. Higgins, Reg. No. 38,916 ROPES & GRAY LLP 1900 University Avenue, 6th Floor East Palo Alto, CA 94303-2284 Phone: 650-617-4015 Facsimile: 617-235-9492 Email: gabrielle.higgins@ropesgray.com</p> <p><i>Counsel for Petitioner</i> <i>Vizio, Inc.</i></p>	<p><i>/ Martin M. Zoltick /</i> _____ Martin M. Zoltick, Reg. No. 35,745 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 607 14th Street, N.W., Suite 800 Washington, DC 20005 Phone: 202-783-6040 Facsimile: 202-783-6031 Email: mzoltick@rfem.com</p> <p><i>Counsel for Patent Owner</i> <i>Nichia Corporation</i></p>
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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of May, 2019, a true and correct copy of the foregoing **PETITIONER VIZIO, INC. AND PATENT OWNER NICHIA CORPORATION'S RENEWED JOINT MOTION TO TERMINATE THE PROCEEDING PURSUANT TO 35 U.S.C. § 317** was served, via electronic mail, upon the following counsel of record for Petitioner Vizio, Inc.:

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