

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,  
Petitioner,

v.

TRACBEAM, LLC,  
Patent Owner.

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Case IPR2018-01723  
Patent 7,525,484 B2

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Before DAVID C. McKONE, JAMES A. TARTAL, and  
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

TARTAL, *Administrative Patent Judge*.

DECISION  
Granting Joint Motion to Dismiss Petition  
*37 C.F.R. §§ 42.71(a), 42.72, 42.74*

Cisco Systems, Inc. (“Petitioner”) filed a Petition (Paper 2) seeking institution of *inter partes* review of claims 25 and 26 of U.S. Patent No. 7,525,484 B2 (Ex. 1001, “the challenged patent”). Petitioner subsequently informed the Board that it had reached an agreement with Patent Owner TracBeam, LLC, to settle this proceeding and sought authorization to file a joint motion to dismiss this proceeding. With our authorization, the Parties filed a Joint Motion to Dismiss the Petition. Paper 6. A copy of the Settlement Agreement executed by the Parties was filed along with the Joint Motion to Dismiss. Ex. 1018. The Parties also filed a Joint Request to Treat Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b). Paper 7.

The Parties represent that they have settled their dispute with respect to the challenged patent and memorialized their settlement in the written agreement. Paper 6. This proceeding is at an early stage. Patent Owner has not yet submitted a Preliminary Response, we have not considered the merits of the Petition, and we have not yet instituted a trial.

In view of the early stage of this proceeding, the Parties’ representations, and the concurrent settlement of the district court lawsuit, we determine that it is appropriate to dismiss the Petition and terminate the proceeding. *See* 37 C.F.R. § 42.71(a). Therefore, the Joint Motion to Dismiss the Petition is granted. We also grant the request of the Parties to treat the Settlement Agreement as business confidential information. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

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For the foregoing reasons, it is:

ORDERED that the Joint Request to Treat Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) is *granted*;

FURTHER ORDERED that the Settlement Agreement (Ex. 1018) shall be treated as business confidential information and shall be kept separate from the patent file; and

FURTHER ORDERED that the Joint Motion to Dismiss the Petition is *granted* and the proceeding is *dismissed*.

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PETITIONER:

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