

Filed: July 16, 2020

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

LG ELECTRONICS INC.,

PETITIONER,

V.

BELL NORTHERN RESEARCH, LLC,

PATENT OWNER.

---

Case No. IPR2020-00108

U.S. Patent No. 8,416,862

---

**PETITIONER LG ELECTRONICS INC.  
AND PATENT OWNER'S JOINT MOTION TO TERMINATE  
PURSUANT TO 35 U.S.C. § 317**

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, Petitioner LG Electronics Inc. (“Petitioner”) and Patent Owner Bell Northern Research, LLC (“Patent Owner”) (collectively, the “parties”) jointly request termination of this *inter partes* review (IPR) of U.S. Patent No. 8,416,862 (“’862 patent” or “challenged patent”), Case No. IPR2020-00108.

The parties have settled with respect to the challenged patent and have reached agreement to terminate this IPR. In accordance with 37 C.F.R. § 42.20(b), the parties received authorization from the Board to file this motion on July 16, 2020.

Termination of this proceeding is proper for at least the following reasons:

- The parties are jointly requesting termination. 77 Fed. Reg. 48756, 48768 (Aug. 14, 2012) (“There are strong public policy reasons to favor settlement between the parties to a proceeding.”). Both Congress and the 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).

Here, no public interest or other factors weigh against termination of this proceeding.

- The Board has not yet “decided the merits of the proceeding before the request for termination is filed.” 35 U.S.C. § 317(a); 77 Fed. Reg. 48768 (“The Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.”) Petitioner filed its petition for IPR on November 12, 2019. No other party’s rights will be prejudiced by the termination of this IPR.
- The parties in the related district court action, *Bell Northern Research, LLC v. LG Electronics Inc., et al.*, Case No. 3:18-cv-02864-CAB-BLM, pending in the United States District Court for the Southern District of California, moved to dismiss the claims in that case that relate to the ’862 patent, which the Court granted on July 14, 2020.

The settlement agreement between the parties has been made in writing, and a true and correct copy will be filed with this request as Exhibit 2026.

/Timothy W. Riffe/

Timothy W. Riffe  
Counsel for Petitioner  
Reg. No. 43,881  
**FISH & RICHARDSON P.C.**  
1000 Maine Ave., S.W.  
Washington, D.C. 20024  
Phone: 202-626-6429

/Steven W. Hartsell/

Steven W. Hartsell  
Counsel for Patent Owner  
Reg. No. 58,788  
**SKIERMONT DERBY LLP**  
1601 Elm Street, Suite 4400  
Dallas, Texas 75201  
P: 214-978-6600/F: 214-978-6601

**CERTIFICATE OF SERVICE**

I certify that I caused to be served on the counsel for Petitioner a true and correct copy of the foregoing Joint Motion to Terminate Pursuant to 35 U.S.C. § 317, by electronic means on July 16, 2020 at the following address of record:

Timothy W. Riffe  
Christopher C. Hoff  
R. Andrew Schwentker  
PTABInbound@fr.com  
IPR18768-0186IP2@fr.com  
riffe@fr.com

Dated: July 16, 2020

Respectfully Submitted,

/Steven W. Hartsell/

Steven W. Hartsell (Reg. No. 58,788)  
Counsel for Patent Owner