

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

FUTURE LINK SYSTEMS, LLC,
Patent Owner.

Case No. IPR2022-01488
U.S. Patent No. 6,807,505

JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

Patent Owner Future Link Systems, LLC (“FLS”) and Petitioner Apple Inc. (“Apple”) have reached a settlement. Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the parties jointly request termination of the *inter partes* review of U.S. Patent No. 6,807,505 (“Patent-in-Suit”), Case IPR2022-01488. As set forth in an e-mail dated June 9, 2022, the Board authorized the filing of the requested Joint Motion to Terminate this Petition.

As required under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true copy of the release agreement that resolves the disputes in the above-captioned *inter partes* review relating to the Patent-in-Suit as between FLS and Apple is filed herewith as an exhibit. There are no other collateral agreements between the parties made in connection with, or in contemplation of, the termination sought.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), FLS and Apple are concurrently filing a Joint Request to Keep Separate, which asks the Board to treat the release agreement as business confidential information, and to keep it separate from the files of this proceeding and the files of the Patent-in-Suit.

I. STATEMENT OF PRECISE RELIEF REQUESTED

The parties jointly request that the Board terminate the *inter partes* review of the Patent-in-Suit, IPR2022-01488.

II. TERMINATION IS APPROPRIATE

Termination of this proceeding with respect to all parties is proper. This *inter partes* review is still in an early stage. This Petition was filed on September 28, 2021.

Under 35 U.S.C. § 317(a), “[a]n *inter partes* review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” Because all parties request termination and the Board has not yet decided the merits of the proceeding, the Board should terminate the proceeding with respect to Apple.

When there are no petitioners remaining in an *inter partes* review, the Board may terminate the proceeding entirely. 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. Apple is the only petitioner in this *inter partes* review. All parties support termination of this proceeding. With no petitioners remaining in the proceeding and no final written decision on the merits, termination of this proceeding entirely is appropriate.

The lawsuits involving the Patent-in-Suit between FLS and Apple have been dismissed, and FLS and Apple do not contemplate any litigation or proceeding involving the Patent-in-Suit in the foreseeable future.

III. CONCLUSION

FLS and Apple have settled all disputes relating to the Patent-in-Suit. The USPTO can conserve its resources through terminating now, removing the need for the Board to further consider the arguments and to issue a Final Written Decision. Accordingly, the parties respectfully request that the Board terminate this proceeding.

Dated: June 10, 2022

Respectfully submitted,

/s/ Adam P. Seitz
Adam P. Seitz, Reg. No. 52,206
ERISE IP, P.A.
7015 College Boulevard, Suite 700
Overland Park, KS 66211
COUNSEL FOR PETITIONER

/Reza Mirzaie /
Reza Mirzaie (Reg. No. 69,138)
Russ, August & Kabat
12424 Wilshire Blvd., 12th Floor
Los Angeles, CA 90025
Attorney for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies to 37 C.F.R. §42.6(e) and §42.105 that the above document was served on June 10, 2022, by filing this document through the Patent Trial and Appeal Board End to End system as well as by delivering a copy via electronic mail to the following attorneys of record for the Patent Owner:

BY: /s/ Adam P. Seitz
Adam P. Seitz, Reg. No. 52,206

COUNSEL FOR PETITIONER