

PGR2020-00067

Joint Motion to Terminate

Filed on behalf of Supercell Oy

By:

JENNIFER R. BUSH, Reg. No. 50,784

BRIAN M. HOFFMAN, Reg. No. 39,713

MICHAEL J. SACKSTEDER (*pro hac vice*)

KEVIN X. McGANN, Reg. No. 48,793

GREGORY A. HOPEWELL, Reg. No. 66,012

GEOFFREY R. MILLER (*pro hac vice*)

ERIC Y. ZHOU, Reg. No. 68,842

FENWICK & WEST LLP

801 California Street

Mountain View, CA 94041

Telephone: 650.988.8500

Facsimile: 650.938.5200

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SUPERCCELL OY,  
Petitioner

v.

GREE, INC.,  
Patent Owner.

Case No. PGR2020-00067  
U.S. Patent No. 10,398,978 B2

---

**PETITIONER AND PATENT OWNER'S JOINT MOTION  
TO TERMINATE POST GRANT REVIEW  
PROCEEDINGS PURSUANT TO 35 U.S.C. § 317 (A)**

PGR2020-00067  
Joint Motion to Terminate

Pursuant to 35 U.S.C. § 317(a), § 327(a), and 37 C.F.R. § 42.72, Petitioner Supercell Oy (“Petitioner”) and GREE, Inc. (“Patent Owner”) (collectively “the Parties”) hereby provide notice that they have reached a settlement agreement and jointly request termination of the following *inter partes* and *post grant* reviews:

1. IPR2020-00310 challenging U.S. Patent No. 10,286,302 (the ’302 patent);
2. IPR2020-00893 challenging U.S. Patent No. 10,279,262 (the ’262 patent);
3. IPR2020-00993 challenging U.S. Patent No. 10,286,318 (the ’318 patent);
4. PGR2020-00042 challenging U.S. Patent No. 10,307,678 (the ’678 patent);
5. PGR2020-00052 challenging U.S. Patent No. 10,335,682 (the ’682 patent); and
6. PGR2020-00067 challenging U.S. Patent No. 10,398,978 (the ’978 patent).

Because none of these IPRs or PGRs (collectively, “Patents at Issue”) have been joined, this motion has been filed under separate caption in each proceeding.

## **I. Termination Is Appropriate**

Termination of each proceeding is proper. The parties have executed stipulated dismissals regarding the Patents at Issue, a respective true copy of which is filed herewith. The Board has not yet reached institution decisions regarding the proceedings, except for one proceeding in which institution was denied as noted below. No motions are outstanding in these proceedings and no other party's rights will be prejudiced by the terminations of these proceedings.

The parties are jointly requesting termination, and the parties do not contemplate any litigation or proceeding involving the Patents at Issue in the foreseeable future. Nor are the Patents at Issue subject of any other PTAB proceedings.

The status of the respective Patents at Issue is as follows:

### **A. The '302 Patent (IPR2020-00310)**

The Petition concerning the '302 patent was afforded a filing date of December 17, 2019. On June 18, 2020, the Board entered its Decision Denying Institution of *Inter Partes* Review of the '302 patent. Petitioner filed a Request for Rehearing which is pending.

### **B. The '262 Patent (IPR2020-00893)**

The Petition concerning the '262 patent was afforded a filing date of May 13, 2020. The Board has not made an institution decision.

**C. The '318 Patent (IPR2020-00993)**

The Petition concerning the '318 patent was afforded a filing date of June 10, 2020. The Board has not made an institution decision.

**D. The '678 Patent (PGR2020-00042)**

The Petition concerning the '678 patent was afforded a filing date of March 3, 2020. The Board has not made an institution decision.

**E. The '682 Patent (PGR2020-00052)**

The Petition concerning the '682 patent was afforded a filing date of April 2, 2020. The Board has not made an institution decision.

**F. The '978 Patent (PGR2020-00067)**

The Petition concerning the '978 patent was afforded a filing date of June 2, 2020. The Board has not made an institution decision.

Dated: September 9, 2020

Respectfully submitted,

KILPATRICK TOWNSEND LLP

FENWICK & WEST LLP

/John C. Alemanni/

John C. Alemanni

Reg. No. 47,384

Attorneys for Patent Owner GREE, Inc.

/Brian M. Hoffman/

Brian M. Hoffman

Reg. No. 39,713

Attorneys for Petitioner Supercell Oy

**CERTIFICATION OF SERVICE ON PATENT OWNER**

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on September 9, 2020, a copy of the foregoing document, **JOINT MOTION TO TERMINATE** and **Exhibit 1020** were served on Patent Owner's lead and backup counsel in their entirety by electronic service by email at the email addresses provided below:

John C. Alemanni  
Kilpatrick Townsend & Stockton LLP  
4208 Six Forks Road, Suite 1400  
Raleigh, NC 27609  
jalemanni@kilpatricktownsend.com

Andrew W. Rinehart  
Kilpatrick Townsend & Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
arinehart@kilpatricktownsend.com

Kasey E. Koballa  
Kilpatrick Townsend & Stockton LLP  
607 14th Street, N.W., Suite 900  
Washington, D.C. 20005  
kkoballa@kilpatricktownsend.com

Dated: September 9, 2020

FENWICK & WEST LLP

*/Brian M. Hoffman/*

Brian M. Hoffman

Reg. No. 39,713

Attorneys for Petitioner Supercell Oy

Fenwick & West LLP  
555 California Street, 12th Floor  
San Francisco, CA 94104