

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
Petitioner,

v.

TLI COMMUNICATIONS LLC,
Patent Owner.

Case IPR2015-00283
Patent 6,038,295

Before TRENTON A. WARD, BART A. GERSTENBLITH, and
JO-ANNE M. KOKOSKI, *Administrative Patent Judges*.

KOKOSKI, *Administrative Patent Judge*.

ORDER

Termination of the Proceeding
35 U.S.C. § 317(a) and 37 C.F.R. § 42.72

On December 11, 2015, with Board authorization, the parties filed a joint motion to terminate this proceeding (Paper 34), along with what they indicated is a true copy of their written settlement agreement (Ex. 2010). The parties indicated in their joint motion that they have reached an agreement to terminate this proceeding relating to U.S. Patent No. 6,038,295 (“the ’295 patent”). Paper 34, 3. On the same day, the parties also filed a joint motion requesting that the settlement agreement be treated as business confidential information and kept separate from the file of the ’295 patent. Paper 35.

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 patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” We instituted a trial in this proceeding as to claims 17–24 of the ’295 patent (Paper 21) on June 1, 2015, but we have not yet decided the merits of the proceeding.

Further, under 37 C.F.R. § 42.74(b), “[a]ny agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and true copy shall be filed with the Board before the termination of the trial.” The parties have filed what they indicated is a true copy of their written settlement agreement, which they represented constitutes the entire agreement between the parties with respect to this *inter partes* review (Ex. 2010, §§ IV, XII). In view of the foregoing reasons, we determine that it is appropriate to terminate this proceeding without rendering a final

IPR2015-00283
Patent 6,038,295

written decision as to the patentability of claims 17–24 of the '295 patent.
See 37 C.F.R. §§ 42.72, 42.74.

As requested by the parties, the settlement agreement will be treated as business confidential information and kept separate from the file of the '295 patent. 37 C.F.R. § 42.74(c).

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding (Paper 34) is *granted*;

FURTHER ORDERED that the parties' joint request that the settlement agreement (Ex. 2010) be treated as business confidential information (Paper 35) is *granted*; and

FURTHER ORDERED that this proceeding is hereby *terminated*.

PETITIONER:

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