

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

LIMESTONE MEMORY SYSTEMS LLC,
Patent Owner.

Case IPR2016-01561
Patent 6,233,181 B1

Before BARBARA A. PARVIS, ROBERT J. WEINSCHENK, and
CHRISTA P. ZADO, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION

Termination of the Proceeding
37 C.F.R. §§ 42.72 and 42.74

I. INTRODUCTION

The parties filed a Joint Motion to Terminate *Inter Partes* Review. Paper 17 (“Motion” or “Mot.”). The parties also filed what they indicate is a true copy of a Settlement Agreement (“Agreement”). Ex. 1021. The parties identify the Agreement as business confidential information and request that the Agreement be kept separate from the patent file. Paper 16 (“Joint Request”). For the reasons discussed below, the Motion and Joint Request are *granted*.

II. ANALYSIS

No oral hearing has occurred in this proceeding, and we have not made a decision on the merits. The parties indicate that, pursuant to the Agreement, they have resolved their dispute regarding U.S. Patent No. 6,233,181 B1. Mot. 2. Under these circumstances, we determine that it is appropriate to terminate this proceeding. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. We also determine that it is appropriate to treat the Agreement as business confidential information to be kept separate from the patent file. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Joint Motion to Terminate *Inter Partes* Review is *granted*;

FURTHER ORDERED that this proceeding is terminated as to all parties; and

FURTHER ORDERED that the Joint Request to treat the Settlement Agreement (Ex. 1021) as business confidential information to be kept separate from the patent file is *granted*.

IPR2016-01561
Patent 6,233,181 B1

PETITIONER:

John R. Hutchins
Rose Cordero Prey
Michael N. Zachary
ANDREWS KURTH KENYON LLP
jhutchins@kenyon.com

PATENT OWNER:

Nicholas T. Peters
Paul B. Henkelmann
David Gosse
FITCHEVEN TABIN & FLANNERY LLP
ntpete@fitcheven.com
phenkelmann@fitcheven.com
dgosse@fitcheven.com