

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NETFLIX, INC.,  
Petitioner,

v.

OPENTV, INC.,  
Patent Owner.

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Cases IPR2014-00252 (Patent 8,107,786 B2)  
IPR2014-00267 (Patent 7,409,437 B2)  
IPR2014-00269 (Patent 6,233,736 B1)

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Before SALLY C. MEDLEY, JAMES T. MOORE, and JUSTIN BUSCH,  
*Administrative Patent Judges.*

MEDLEY, *Administrative Patent Judge.*

JUDGMENT  
Termination of the Proceeding  
*37 C.F.R. § 42.73*

On January 20, 2015, the parties filed, in each proceeding, a joint motion to terminate, along with a true copy of their written agreement, made in connection

IPR2014-00252 (Patent 8,107,786 B2)  
IPR2014-00267 (Patent 7,409,437 B2)  
IPR2014-00269 (Patent 6,233,736 B1)

with the termination of the respective proceeding, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). The parties also filed a joint request to have their agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *See, e.g.*, IPR2014-00252 (Papers 38, 39; Ex. 1008). The joint motions request termination of the proceedings and further explain that the parties have stipulated to dismiss, without prejudice, the related district court litigations. *See, e.g.*, IPR2014-00252, Paper 38 at 1.

On June 24, 2014, we instituted trial for each proceeding. The Board does not have before it full briefing on the trial issues and the Board has not entered a final decision.

Based on the facts of these proceedings, it is appropriate to enter judgment<sup>1</sup> without rendering a final written decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

It is

ORDERED that the parties' joint request that the agreement be treated as business confidential information, to be kept separate from the patent file, is *granted*;

FURTHER ORDERED that the joint motions to terminate the proceedings are *granted*; and

FURTHER ORDERED that the proceedings are *terminated*.

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<sup>1</sup> A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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