

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WAVEMARKET INC. d/b/a LOCATION LABS,
Petitioner,

v.

LOCATIONET SYSTEMS LTD.,
Patent Owner.

Case IPR2014-00920
Patent 6,771,970 B1

Before KRISTEN L. DROESCH, GLENN J. PERRY, and
SHERIDAN K. SNEDDEN, *Administrative Patent Judges*.

DROESCH, *Administrative Patent Judge*.

DECISION
Termination
35 U.S.C. § 317(b), 37 C.F.R. §§ 42.72, 42.74(c)

On May 13, 2015, the parties filed a Joint Motion to Terminate this proceeding. Paper 36. Accompanying the Motion, the parties filed true copies of a Settlement Agreement (Ex. 1121) and a Collateral Agreement (Ex. 1122) associated with the Settlement Agreement. The parties also filed a joint request for the Settlement Agreement and Collateral Agreement to be

treated as business confidential information, to be kept separate from the patent file pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 37.

The parties state in their Joint Motion to Terminate:

Termination of this proceeding as to both parties, without rendering a final written decision, is appropriate because (i) the trial is at a sufficiently early stage and the record is incomplete; (ii) the parties have settled their disputes in this proceeding and the related litigation; (iii) the parties to this *inter partes* review agree that it should be terminated; and (iv) public policy strongly favors settlement.

Paper 36, 3.

Specifically, the parties assert the record in this proceeding is incomplete and at an early stage because Petitioner did not file a reply to address Patent Owner's Response, and no actions have been taken in accordance with DUE DATES 4 through 7. Paper 36, 4. The parties also indicate the only outstanding motions before the Board are a fully briefed Motion to Seal and for Entry of Protective Order and a fully briefed Motion for Additional Discovery. *Id.*

Based on the facts in the case before us, it is appropriate to terminate this proceeding without rendering a final written decision. 37 C.F.R. § 42.72. Therefore, the joint motion to terminate the proceeding is granted.

As noted above, Patent Owner's Motion for Additional Discovery (Paper 16) and Petitioner's Motion to Seal and for Entry of Protective Order (Paper 26) are pending. Because this proceeding is terminated without rendering a final written decision, Patent Owner's Motion for Additional Discovery and Petitioner's Motion to Seal and for Entry of Protective Order

are dismissed as moot. The subject papers of Petitioner's Motion to Seal, Exhibit 1119 and Paper 27 (Patent Owner's unredacted Response) are hereby expunged.

ORDER

It is

ORDERED that that the Joint Motion to Terminate the proceeding is *granted*;

FURTHER ORDERED that the parties' joint request that the Settlement Agreement (Ex. 1121) and Collateral Agreement (Ex. 1122) be treated as business confidential information, to be kept separate from the file of U.S. Patent No. 6,771,970, and made available only under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*;

FURTHER ORDERED that Patent Owner's Motion for Additional Discovery (Paper 16) is *dismissed* as moot;

FURTHER ORDERED that Petitioner's Motion to Seal and for Entry of Protective Order (Paper 26) is *dismissed* as moot;

FURTHER ORDERED that Exhibit 1119 and Paper 27 (Patent Owner's unredacted Response) are hereby expunged; and

FURTHER ORDERED that this proceeding is hereby TERMINATED.

Case IPR2014-00920

Patent 6,771,970 B1

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