

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

OPTIMUM CONTENT PROTECTION LLC,
Patent Owner.

IPR2015-00048 (U.S. Patent No. 7,502,470)
IPR2015-00049 (U.S. Patent No. 7,502,470)

Before THOMAS L. GIANNETTI, JUSTIN BUSCH, and
MICHELLE N. WORMMEESTER, *Administrative Patent Judges*.

WORMMEESTER, *Administrative Patent Judge*.

ORDER
Termination of the Proceedings
37 C.F.R. §§ 42.5, 42.72, and 42.73

I. DISCUSSION

On January 13, 2015, Petitioner and Patent Owner filed a joint Motion to Terminate and a Joint Request that the Settlement Agreement Be Treated as Business Confidential Information in each of IPR2015-00048 and IPR2015-00049 (“the Proceedings”). Papers 6, 7. At the Board’s request, an additional paper, Joint Statement Regarding Settlement Agreement, was filed. Paper 8. For the reasons below, in each of the Proceedings, we grant both the motion and the confidentiality request and terminate the proceeding.

IPR2015-00048 and IPR2015-00049 are both in the pre-trial stage; Patent Owner’s preliminary responses to the petitions are due February 5, 2015.

The Joint Motion to Terminate indicates the parties entered into a settlement agreement. A copy of a settlement agreement between Acacia Research Corporation and Petitioner has been filed in each of the Proceedings. In a Joint Statement Regarding Settlement Agreement, which was filed on January 30, 2015, the parties explain that Patent Owner is a wholly-owned company of Acacia Research Group LLC, which is a wholly-owned subsidiary of Acacia Research Corporation. Thus, all the relevant parties in the Proceedings have expressed their desire to terminate the Proceedings.

Based on the facts presented, we determine that it is appropriate to terminate the Proceedings. Thus, the Joint Motions to Terminate are granted. In addition, we determine there is good cause for, and, therefore, grant the Joint Requests to treat the settlement as business confidential information.

IPR2015-00048 (U.S. Patent No. 7,502,470)

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II. ORDER

In view of the foregoing, it is hereby:

ORDERED that the settlement agreement filed in the Proceedings (Exhibit 1085 in each) is to be treated as business confidential information and to be kept separate from the patent file;

FURTHER ORDERED that the Joint Motions to Terminate IPR2015-00048 and IPR2015-00049 are granted;

FURTHER ORDERED that IPR2015-00048 and IPR2015-00049 are terminated.

IPR2015-00048 (U.S. Patent No. 7,502,470)

IPR2015-00049 (U.S. Patent No. 7,502,470)

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