

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARM INC.,
Petitioner,

v.

VANTAGE POINT TECHNOLOGY, INC.,
Patent Owner.

Case IPR2015-00175
Patent 5,463,750

Before JAMES P. CALVE, BRYAN F. MOORE, and
DAVID C. McKONE, *Administrative Patent Judges*.

McKONE, *Administrative Patent Judge*.

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

On March 19, 2015, and pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74, the parties filed a joint motion to terminate. Paper 9. Along with the joint motion, the parties submitted a copy of an Agreement to Terminate *Inter Partes* Review. Paper 8.

We convened a conference call on March 30, 2015, to remind the parties that authorization is required to submit a motion for termination and to confirm that the Agreement to Terminate *Inter Partes* Review constitutes all “agreement[s] or understanding[s] between the patent owner and [the] petitioner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of [this] inter partes review,” as required by 35 U.S.C. § 317(b).

The parties represented that Petitioner is a supplier to the defendants in the related district court litigations listed in Paper 4. The parties further represented that the related district court litigations are being dismissed with prejudice at the request of the respective parties to those litigations.

Petitioner represented that it was aware of no other agreement or understanding to which it was a party besides the Agreement to Terminate *Inter Partes* Review filed in this proceeding. Following the conference call, Patent Owner conducted an investigation, and in an April 2, 2015, electronic mail message to the Board, represented that “no collateral agreements made in connection with or in contemplation of the termination of this proceeding (IPR2015-00175) exist.” We accept the parties’ representations.

This proceeding is at an early stage. We have not yet determined whether to institute a trial. In view of the early stage of this proceeding, and the concurrent dismissals of the district court litigations, the Board determines that it is appropriate to terminate the proceeding with respect to

IPR2015-00175
Patent 5,463,750

both parties. Based on the facts of this case, it is appropriate to enter judgment.¹ Therefore, the joint motion to terminate the proceeding is granted.

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

PETITIONER:

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PATENT OWNER:

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