

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner,

v.

UCHICAGO ARGONNE, LLC,
Patent Owner.

Case IPR2015-01520 (Patent 6,677,082 B2)
Case IPR2015-01521 (Patent 6,680,143 B2)¹

Before GRACE KARAFFA OBERMANN, JO-ANNE M. KOKOSKI, and
MICHELLE N. ANKENBRAND, *Administrative Patent Judges*.

ANKENBRAND, *Administrative Patent Judge*.

ORDER

Dismissing the Petition Pursuant to Settlement
37 C.F.R. §§ 42.71(a), 42.74

¹ This Order addresses issues common to both cases; therefore, we issue a single order to be entered in each case. The parties are authorized to use this style heading when filing an identical paper in both proceedings, provided that such heading includes a footnote attesting that “the word-for-word identical paper is filed in each proceeding identified in the heading.”

On November 4, 2015, pursuant to Board authorization, Petitioner and Patent Owner filed a joint motion to terminate each proceeding identified in the caption under 35 U.S.C. § 317(a). Paper 9.² Along with the motion, the parties filed a copy of a document they describe as their written settlement agreement (Paper 9, 1; Ex. 1031), as well as a separate joint request to treat the settlement agreement as business confidential information. Paper 10; *see* 37 C.F.R. § 42.74(c) (a party to a settlement may request that the settlement agreement be treated as business confidential and be kept separate from the patent file).

The cases are in a preliminary stage. The Board has not yet issued decisions on whether to institute the proceedings. The parties state in the joint motion that they have settled their dispute and have reached agreement to terminate these *inter partes* reviews, as well as related ITC and district court litigation. Paper 9, 1–3. We are persuaded that, under these circumstances, it is appropriate to dismiss the Petition in each proceeding. 37 C.F.R. § 42.71(a). This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

It is therefore

ORDERED that the joint motion is *granted* and the Petition is dismissed in each proceeding; and

² The parties filed substantially similar papers and exhibits in each proceeding. Citations are to IPR2015-01520 as representative unless otherwise indicated.

IPR2015-01520 (Patent 6,677,082 B2)

IPR2015-01521 (Patent 6,680,143 B2)

FURTHER ORDERED that the joint request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file, is *granted* in each proceeding.

IPR2015-01520 (Patent 6,677,082 B2)

IPR2015-01521 (Patent 6,680,143 B2)

FOR PETITIONER:

Lionel M. Lavenue

Maximilienne Giannelli

Joshua L. Goldberg

Hojung Cho

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

lionel.lavenue@finnegan.com

maximilienne.giannelli@finnegan.com

joshua.goldberg@finnegan.com

hojung.cho@finnegan.com

FOR PATENT OWNER:

Brian E. Ferguson

Anish R. Desai

Weil, Gotshal & Manges LLP

brian.ferguson@weil.com

anish.desai@weil.com