

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

ROTHSCHILD CONNECTED DEVICES INNOVATIONS, LLC,
Patent Owner.

Case IPR2016-00535
Patent 8,788,090 B2

Before RAMA G. ELLURU and SCOTT C. MOORE,
Administrative Patent Judges.

MOORE, *Administrative Patent Judge.*

JUDGMENT

Joint Motion to Terminate Proceeding
35 U.S.C. § 317; 37 C.F.R. §§ 42.72, 42.74

On October 24, 2016, the parties filed a Joint Motion to Terminate the present proceeding under 35 U.S.C. § 317(a) (Paper 11). Along with the Joint Motion to Terminate, the parties filed a copy of their Settlement Agreement (Ex. 1017) and a Joint Motion to Keep Confidential under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 12).

In the Joint Motion to Terminate, the parties jointly request termination of this proceeding pursuant to 35 U.S.C. § 317(a). Paper 11, 1. The parties indicate that termination is appropriate because the parties have “entered into a written confidential settlement agreement that fully resolves all underlying disputes between the parties, including IPR2016-00535 against U.S. Patent 8,788,090” (*id.* at 1), and because the Board has not yet “decided the merits of this proceeding” (*id.* at 3). The parties also represent:

that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding and that EX1017 represents a true and accurate copy of the agreement between the parties that resolves the present proceeding.

Id. at 1.

The parties filed their Joint Motion to Terminate at an early stage in the proceeding, less than three months after our August 1, 2016, Decision on Institution. Paper 9. Under the present circumstances, we are persuaded that it is appropriate to terminate this proceeding as to both Petitioner and Patent Owner. 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. We further grant the Joint Motion to Keep Confidential. 37 C.F.R. § 42.74(c).

ORDER

For the foregoing reasons, it is:

ORDERED that the Joint Motion to Terminate Proceeding (Paper 11) is *granted*;

FURTHER ORDERED that this proceeding is hereby *terminated* as to both Petitioner and Patent Owner;

FURTHER ORDERED that the parties' Joint Motion to Keep Confidential under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 12) is *granted*; and

FURTHER ORDERED that Exhibit 1017 be treated as business confidential information pursuant to 37 C.F.R. § 42.74(c), and remain designated as "Parties and Board Only."

For PETITIONER:

Jonathan Stroud
Kevin Jakel
jonathan@unifiedpatents.com
kevin@unifiedpatents.com
Paul Haughey
Scott Kolass
phaughey@kilpatricktownsend.com
skolassa@kilpatricktownsend.com

For PATENT OWNER:

Jay Johnson
jay@kjpllc.com