

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC,
Patent Owner.

Case IPR2016-01500
Patent 8,457,022 B2

Before BRYAN F. MOORE, GREGG I. ANDERSON, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

JUDGMENT

Granting Joint Motion to Terminate After Institution Due to Settlement

35 U.S.C. § 317 and 37 C.F.R. § 42.72

The parties have filed a Joint Motion to Terminate Due to Settlement. See Paper 13. The Joint Motion states that the parties have settled their dispute with respect to the US Patent No. 8,457,022 (“’022 patent”). *Id.* at 1. Concurrently with the Joint Motion, the parties also filed Exhibit 1019,

which the parties represent is a true and correct copy of the parties' Settlement and License Agreement settling the dispute. *Id.* at 1–2.

Under 35 U.S.C. § 317(a), an *inter partes* review proceeding shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Patent and Trademark Office has decided the merits of the proceeding before the request for termination is filed. In this proceeding, trial was instituted on February 13, 2017. Paper 7. The Board has not decided the merits of this proceeding. We grant the Joint Motion to Terminate and terminate this proceeding as to both Petitioner and Patent Owner without rendering a final written decision. *See* 37 C.F.R. § 42.72.

The parties also jointly request, pursuant to 37 C.F.R. § 42.74(c), that the Settlement and License Agreement in Exhibit 1019 be treated as business confidential information and be kept separate from the files of the involved patent. *See* Paper 12. We grant that request as well.

Accordingly, it is hereby:

ORDERED that the Joint Motion to Terminate this proceeding is *granted* and this proceeding is hereby *terminated*; and

FURTHER ORDERED that the parties' request that Exhibit 1019 be treated as business confidential information and kept separate from the files of the involved patent is *granted*, and that Exhibit 1019 be kept separate from the files of the '022 patent.

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