

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CORNING OPTICAL COMMUNICATIONS RF LLC,
CORNING INCORPORATED, and CORNING OPTICAL COMMUNICATIONS
LLC,
Petitioner,

v.

PPC BROADBAND, INC.,
Patent Owner.

Case IPR2016-01570
Patent 8,366,481 B2

Before JOSIAH C. COCKS, JAMES B. ARPIN, and SHEILA F. McSHANE,
Administrative Patent Judges.

ARPIN, *Administrative Patent Judge.*

DECISION
Termination of the Proceeding
37 C.F.R. §§ 42.72 and 42.74

I. DISCUSSION

On January 12, 2017, the Parties filed a Joint Motion to Terminate this proceeding (Paper 12), a true copy of the Parties' settlement agreement (Ex. 2031), and a request to treat the settlement agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 13).

This proceeding is still in its preliminary stages. On August 9, 2016, Petitioner, Corning Optical Communications RF LLC, Corning Incorporated, and Corning Optical Communications LLC, filed a Petition requesting an *inter partes* review of claims 1, 3–7 and 14–16 of U.S. Patent No. 8,366,481 B2 (Ex. 1001, “the ’481 patent”). Paper 1. Patent Owner, PPC Broadband, Inc., filed a Preliminary Response in this proceeding. Paper 11. We have not entered a decision whether or not to institute an *inter partes* review.

In the Joint Motion to Terminate this proceeding, the Parties represent that they have settled all of their disputes regarding the ’481 patent. Paper 12, 2. The Parties further represent that the ’481 patent was asserted against Petitioner in the United States District Court for the Northern District of New York. *Id.* In addition to this proceeding, the Parties represent that they are involved in the following proceeding before the Board related to the ’481 patent: Case IPR2016-01572. *Id.* According to the Parties, they have concurrently filed a Joint Motion to Terminate in that proceeding, as well. *Id.* Under these particular circumstances, we determine that it is appropriate to terminate this proceeding without rendering any further decisions. *See* 37 C.F.R. § 42.72.

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Parties' request to treat the settlement agreement (Ex. 2031) as business confidential information under 35 U.S.C. § 317(b) and 37

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C.F.R. § 42.74(c) is *granted*; and

FURTHER ORDERED that the Joint Motion to Terminate this proceeding is *granted*, and this proceeding is hereby terminated.

For PETITIONER:

Todd R. Walters
Roger H. Lee
Jonathan R. Bowser
Kyle K. Tsui
BUCHANAN INGERSOLL & ROONEY PC
todd.walters@bipc.com
roger.lee@bipc.com
jon.bowser@bipc.com
kyle.tsui@bipc.com

For PATENT OWNER:

Denis J. Sullivan
Thomas Hoehner
Douglas J. Nash
BARCLAY DAMON, LLP
dsullivan@barclaydamon.com
thoehner@barclaydamon.com
dnash@barclaydamon.com