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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BROADCOM LIMITED,
Petitioner,

v.

TESSERA ADVANCED TECHNOLOGIES, INC.,
Patent Owner.

Case IPR2018-00021
Patent 6,408,167 B1

Before BARBARA A. PARVIS, STACEY G. WHITE, and STACY B. MARGOLIES, Administrative Patent Judges.

PARVIS, *Administrative Patent Judge*.

DECISION
Granting Joint Motion to Dismiss
37 C.F.R. §§ 42.71(a), 42.74

On October 4, 2017, Broadcom Limited ("Petitioner,") filed a Petition requesting *inter partes* review of claims 1–5 of U.S. Patent No. 6,408,167 B1. Paper 1. On December 12, 2017, Petitioner and Tessera Advanced Technologies, Inc. ("Patent Owner") filed a joint motion to terminate, along with a true copy of their written agreements, including collateral agreements, made in connection with the termination of this proceeding. Paper 6; Exs.

2001–2006 (collectively, "Agreements"). The parties also jointly request that the Agreements be treated as business confidential information to be kept separate from the files of the involved patents under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 7.

The parties' Joint Motion represents that "the parties have settled their dispute with respect to the '167 patent" and that "the Agreements fully resolve all litigation and proceedings between the parties to this proceeding." Paper 6, 1, 3–5. The parties further represent that there are no other collateral agreements or understandings made in connection with, or in contemplation of, the termination of the proceeding. *Id.* at 2.

This proceeding is in a preliminary stage, and we have not yet issued a Decision whether to institute an *inter partes* review. Under these circumstances, Petitioner has demonstrated that dismissal of its Petition is warranted, and we grant the parties' Joint Motion. *See* 37 C.F.R. § 42.71(a) (authorizing the Board to dismiss a petition).

ORDER

For the foregoing reasons, it is:

ORDERED that the parties' Joint Motion (Paper 6) is granted and the Petition is *dismissed*; and

FURTHER ORDERED that the parties' joint request (Paper 7) that the Agreements be treated as business confidential information, to be kept separate from the patent file, is *granted*.

PETITIONER:

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