

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC, LG ELECTRONICS, INC., LG ELECTRONICS USA,
INC., LG ELECTRONICS MOBILE RESEARCH USA LLC, AND
LG ELECTRONICS MOBILCOMM USA, INC.,
Petitioners,

v.

AMERICAN GNC CORPORATION,
Patent Owner.

Case IPR2018-00644 (Patent 6,415,227 B1)
Case IPR2018-00646 (Patent 6,792,353 B2)¹

Before PATRICK R. SCANLON, KEVIN W. CHERRY, and
MICHAEL L. WOODS, *Administrative Patent Judges*.

SCANLON, *Administrative Patent Judge*.

JUDGMENT
Termination of Trial
35 U.S.C. § 317; 37 C.F.R. §§ 42.72–42.74

¹ We exercise our discretion to issue one order to be entered in each case. The parties are not authorized to use a caption identifying multiple proceedings.

IPR2018-00644 (Patent 6,415,227 B1)

IPR2018-00646 (Patent 6,792,353 B2)

On March 18, 2019, pursuant to our authorization, Petitioners, Google LLC, LG Electronics, Inc., LG Electronics USA, Inc., LG Electronics Mobile Research USA LLC, and LG Electronics MobileComm USA, Inc., and Patent Owner, American GNC Corporation, filed a Joint Motion to Terminate in each of these *inter partes* reviews. Paper 9 (“Mot.”).² With the Joint Motions, the parties filed copies of their written settlement agreement memorializing their resolution of all disputes with respect to the patents at issue in these proceedings. Ex. 1059 (“Settlement Agreement”).

Under 35 U.S.C. § 317(a), “[a]n *inter partes* review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” In these proceedings, we have not yet reached a decision on the merits with respect to the patentability of any involved claim. Accordingly, we must terminate these reviews with respect to Google LLC, LG Electronics, Inc., LG Electronics USA, Inc., LG Electronics Mobile Research USA LLC, and LG Electronics MobileComm USA, Inc., as Petitioners.

Furthermore, “[i]f no petitioner remains in the *inter partes* review, the Office may terminate the review or proceed to a final written decision under section 318(a).” 35 U.S.C. § 317(a). We, therefore, have discretion to terminate these reviews with respect to Patent Owner.

In their Joint Motion, the parties assert that all litigation between Petitioners and Patent Owner involving U.S. Patent 6,415,227 B1 (Ex. 1001, “the ’227 patent”) and U.S. Patent 6,792,353 B2 (IPR2018-00646 Ex. 1001,

² Citations are to IPR2018-00644.

IPR2018-00644 (Patent 6,415,227 B1)

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“the ’353 patent”) has ended, and that the Settlement Agreement resolves all remaining disputes between the parties involving the ’227 patent and the ’353 patent at issue in these proceedings. Mot. 3–4; *see* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(b).

Under these particular circumstances, we determine that it is appropriate to terminate these *inter partes* reviews as to both Petitioners and Patent Owner without rendering a Final Written Decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

Accordingly, it is

ORDERED that the Joint Motions to Terminate these proceedings (Paper 9 in each proceeding) are *granted*; and

FURTHER ORDERED that these *inter partes* reviews are hereby *terminated*.

IPR2018-00644 (Patent 6,415,227 B1)

IPR2018-00646 (Patent 6,792,353 B2)

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