

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

SPACE DATA CORPORATION,
Patent Owner.

Case IPR2018-00944 (Patent 9,632,503 B2)
Case IPR2018-00945 (Patent 9,643,706 B2)
Case IPR2018-00946 (Patent 9,632,503 B2)
Case IPR2018-00947 (Patent 9,643,706 B2)¹

Before SCOTT A. DANIELS, BART A. GERSTENBLITH, and
BRENT M. DOUGAL, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

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

¹ We issue one Order and enter it in each proceeding. For brevity, we refer in this Order only to paper and exhibit numbers in IPR2018-00944.

IPR2018-00944 (Patent 9,632,503 B2)
IPR2018-00945 (Patent 9,643,706 B2)
IPR2018-00946 (Patent 9,632,503 B2)
IPR2018-00947 (Patent 9,643,706 B2)

On September 6, 2019, in each of the above-captioned cases, the parties filed a “Joint Motion to Terminate Proceeding.” Paper 43 (“Mot.”). On the same date, the parties also filed a “Joint Request to Treat Settlement Agreement as Business Confidential Information.” Paper 44. The parties also filed a copy of their written Settlement Agreement as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Ex. 2091.

We instituted trial in these proceedings on November 7, 2018, and the hearing is currently scheduled for September 19, 2019. Paper 42. The parties filed their Joint Motion to Terminate prior to the oral hearing and the Board has not yet undertaken writing a final written decision in any of the above-captioned cases. The parties indicate the following with respect to their disputes in IPR2018-00944, IPR2018-00945, IPR2018-00946, and IPR2018-00947, involving U.S. Patent Nos. 9,362,503 B2 and 9,643,706 B2: “Good cause exists to terminate this proceeding because the parties’ settlement agreement ends all disputes between the parties concerning the patent at issue in this proceeding, U.S. Patent No. 9,632,503, and related patent, U.S. Patent No. 9,643,706.” Mot. 2.

The settlement agreement indicates that it “constitutes the complete, final and exclusive embodiment of the entire agreement between the Parties.” Ex. 2091, 8. Under these circumstances, we determine that it is appropriate to terminate these proceedings. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

IPR2018-00944 (Patent 9,632,503 B2)
IPR2018-00945 (Patent 9,643,706 B2)
IPR2018-00946 (Patent 9,632,503 B2)
IPR2018-00947 (Patent 9,643,706 B2)

It is

ORDERED that the parties' Joint Motion to Terminate Proceeding is *granted* and this proceeding is terminated;

FURTHER ORDERED that the parties' Joint Request to Treat Settlement Agreement as Business Confidential Information is *granted* and the Settlement Agreement (IPR2018-00944, Ex. 2091; IPR2018-00945, Ex. 2091; IPR2018-00946, Ex. 2091; and IPR2018-00947, Ex. 2091) shall be kept separate from the file of the involved patents under the provisions of 37 C.F.R. § 42.74(c).

IPR2018-00944 (Patent 9,632,503 B2)
IPR2018-00945 (Patent 9,643,706 B2)
IPR2018-00946 (Patent 9,632,503 B2)
IPR2018-00947 (Patent 9,643,706 B2)

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