UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

WILDSEED MOBILE LLC,
Patent Owner

Case IPR2023-00245
U.S. Patent No. 10,959,040

JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

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P.O. Box 1450
Alexandria, VA 22313

PATENT OWNER'S UPDATED EXHIBIT LIST

Exhibit No.	Description
2001	File History of U.S. Patent No. 9,161,960
2002	Case No. 3:22-cv-04928, Plaintiff Wildseed Mobile, LLC'S Patent L.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions
2003	U.S. Patent No. 10,959,040 Invalidity Contentions
2004	File History of U.S. Patent No. 10,251,021
2005	Declaration of Andrew G. Hamill In Support Of *Pro Hac Vice* Admission Under 37 C.F.R. § 42.10(c)
2006	Supplemental Declaration of Andrew G. Hamill In Support Of *Pro Hac Vice* Admission Under 37 C.F.R. § 42.10(c)
2007	Settlement Agreement (CONFIDENTIAL)

I. STATEMENT OF RELIEF REQUESTED

Google LLC ("Petitioner") and Wildseed Mobile LLC ("Patent Owner") have entered into a confidential settlement agreement that resolves all underlying disputes between Petitioner and Patent Owner with respect to U.S. Patent No. 10,959,040 ("the '040 patent"). A copy of the parties' settlement agreement is being filed with this motion as Exhibit 2007 (the "Agreement"). The parties are concurrently filing a separate request that the Agreement be treated as business confidential information and be kept separate from the files of the involved patent, pursuant to 37 C.F.R. § 42.74(c).

Accordingly, pursuant to 37 C.F.R § 42.74 and the authorization provided by the Board on September 7, 2023, the parties jointly request termination of this *inter partes* review proceeding in its entirety.

II. STATEMENT OF FACTS

On September 5, 2023, the parties entered into a confidential Agreement. *See* EX2007 (Confidential). Under the terms of the Agreement, the parties agreed to jointly seek termination of this proceeding.

III. ARGUMENT

A. Termination is appropriate.

Petitioner and Patent Owner have settled their dispute regarding the '040 patent, including both this proceeding and Patent Owner's assertion of the '040

patent in the related district court litigation, *Wildseed Mobile LLC v. Google LLC and YouTube, LLC*, 22-cv-04928-WHO. The parties do not anticipate further litigation between them concerning the '040 patent.[1]

Good cause exists to terminate this proceeding because the parties have settled their dispute regarding the '040 patent. The Board's Trial Practice Guide stresses that "[t]here are strong public policy reasons to favor settlement between the parties to a proceeding." Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 46,768 (Aug. 14, 2012). Further, the proceeding is at an early stage. Terminating the proceeding now would serve the interests of judicial economy as well as the mutual interest of the parties.

B. Written Agreement

The parties represent that their entire agreement in connection with the termination of this proceeding is embodied in the Agreement, which has been made in writing. There are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of this *inter partes* review.

[1] The following proceedings involving the parties are currently pending before the Board: IPR2023-00244; IPR2023-00246; IPR2023-00247; IPR2023-00248. The '040 patent is not involved in these other pending proceedings.

A true and correct copy of the Agreement is filed herewith as Exhibit 2007. The Agreement has been filed for access by the "Parties and Board Only" due to the highly sensitive business confidential information it contains. The parties desire that the Agreement be maintained as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and a separate joint request to treat the settlement agreement as business confidential information is being filed concurrently.

IV. CONCLUSION

Petitioner and Patent Owner respectfully request that the Board grant the parties' Joint Motion to Terminate this proceeding in its entirety.

Respectfully submitted,

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Date: September 8, 2023

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned certifies that true and correct copies of the foregoing **JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW** and **EXHIBIT 2007 (CONFIDENTIAL)** were served in their entireties electronically via e-mail on September 8, 2023, on the following counsel for Petitioner:

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