

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS,
T-MOBILE USA, INC., AT&T SERVICES INC.,
AT&T MOBILITY LLC, AT&T CORP.,
NOKIA OF AMERICA CORPORATION, and ERICSSON INC.,
Petitioner,

v.

COBBLESTONE WIRELESS, LLC,
Patent Owner.

IPR2024-00946
Patent 7,924,802 B2

Before KARL D. EASTHOM, NORMAN H. BEAMER, and
RUSSELL E. CASS, *Administrative Patent Judges*.

CASS, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
37 C.F.R. § 42.74

I. INTRODUCTION

With the Board’s authorization, Petitioners and Patent Owner (collectively referred to as “the Parties”) filed a Joint Motion to Terminate the above-identified proceeding due to settlement. Paper 10 (“Joint Motion” or “Mot.”). In support of the Joint Motion, the Parties filed confidential Release Agreements (Exs. 2001–2007 (collectively, “Settlement Agreements”)), as well as a Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) (Paper 11 (“Joint Request”)).¹

II. DISCUSSION

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceeding, and that the filed copies of the Settlement Agreements are true and complete copies. *See generally* Mot.; Ex. 2001, 7; Ex. 2002, 7; Ex. 2003, 7; Ex. 2004, 6; Ex. 2005, 6; Ex. 2006, 6. The Parties further represent that their Settlement Agreements resolve “all disputes relating to the Patent-in-Suit.” Mot. 3.

This proceeding is at an early stage, and we have not yet decided whether to institute a trial in the proceeding. In view of the early stage of the proceeding and the settlement between the parties, we determine that good cause exists to dismiss the Petition, and terminate the proceeding with respect to the parties.

After reviewing the Settlement Agreements between Petitioners and

¹ We note that the Joint Request does not specify which exhibits shall be kept confidential. We understand the Joint Request to apply to the Settlement Agreements, Exs. 2001–2007, because Patent Owner filed those exhibits as available only to the Board.

Patent Owner, we find that the Settlement Agreements contain confidential business information regarding the terms of settlement. We determine that good cause exists to treat the Settlement Agreements between Petitioners and Patent Owner as business confidential information pursuant to 37 C.F.R. § 42.74(c).

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

III. ORDER

In view of the above, it is

ORDERED that the Joint Motion to Terminate (Paper 10) is *granted*, the Petition is dismissed, and the above proceeding is *terminated*; and

FURTHER ORDERED that the Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) (Paper 11) is *granted*, and the Settlement Agreements (Exs. 2001–2007) shall remain designated as “Board” in the Board’s filing system, shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause, and shall be kept separate from the files of the involved patent and associated preliminary proceeding, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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