

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

T-MOBILE USA, INC., AT&T SERVICES, INC., CELLCO
PARTNERSHIP d/b/a VERIZON WIRELESS, ERICSSON INC.,
NOKIA OF AMERICA CORPORATION, and
SAMSUNG ELECTRONICS CO., LTD.,¹
Petitioner,

v.

HEADWATER PARTNERS II LLC,
Patent Owner.

IPR2024-01468
Patent 9,094,868 B2

Before HYUN J. JUNG, SCOTT B. HOWARD, and
STEPHEN E. BELISLE, *Administrative Patent Judges*.

BELISLE, *Administrative Patent Judge*.

TERMINATION

Due to Settlement After Institution of Trial
Granting Joint Request to Treat Settlement
Agreements as Business Confidential Information
Canceling Oral Argument
35 U.S.C. § 317; 37 C.F.R. §§ 42.5, 42.72, 42.74

¹ Samsung Electronics Co., Ltd., which filed a petition and a motion for joinder in IPR2025-00426, was previously joined as a petitioner in this proceeding.

We instituted *inter partes* review in IPR2024-01468 with a Decision dated May 7, 2025. Paper 17. In a Decision dated June 18, 2025, we instituted *inter partes* review in IPR2025-00426 and joined the proceeding with IPR2024-01468.² Paper 19.

On February 3, 2026, with the Board’s authorization, Petitioner and Patent Owner (collectively, “Parties”) filed a Joint Motion to Terminate in the above-identified proceeding due to settlement (“Joint Motion”). Paper 32. In support of the Joint Motion, the Parties filed corresponding Settlement Agreements, Exs. 2016–2021 (“Settlement Agreements”), as well as a Joint Request to keep the Settlement Agreements confidential pursuant to 37 C.F.R. § 42.74(c), Paper 33 (“Joint Request”).

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 copies. Joint Motion 1. The Parties further represent that their Settlement Agreements resolve the subject *inter partes* proceeding as between the Parties. *Id.* Accordingly, the Parties jointly request termination of this proceeding. *Id.* at 2.

The Board generally expects that a case “will terminate after the filing of a settlement agreement, unless the Board has already decided the merits.” *Consolidated Trial Practice Guide*, 86 (Nov. 2019)³; *see* 35 U.S.C. §317(a); 37 C.F.R. § 42.72. Here, although the Board instituted *inter partes* review

² All citations are to IPR2024-01468 because the decision granting joinder ordered “that all future filings are to be made only in IPR2024-01468.” IPR2025-00426, Paper 12, 9.

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

of the challenged patent, the Board has not decided the merits of this proceeding. Under these circumstances, therefore, we determine that it is appropriate to terminate this proceeding as to the Parties, without rendering a final written decision.

After reviewing the Settlement Agreements between the Parties, 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 the Parties as business confidential information pursuant to 37 C.F.R. § 42.74(c).

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

ORDER

Accordingly, it is:

ORDERED that the Joint Motion to Terminate is *granted*, and IPR2024-01468 is *terminated* as to Petitioner Cellco Partnership d/b/a Verizon Wireless, T-Mobile USA, Inc., AT&T Services, Inc., Ericsson Inc., and Nokia of America Corporation, and IPR2025-00426 is *terminated* as to Petitioner Samsung Electronics Co. Ltd., and thus, these proceedings are terminated as to all parties;

FURTHER ORDERED that the Joint Request to Treat the Settlement Agreements as Business Confidential is *granted*, and the Settlement Agreements shall be kept separate from the files of U.S. Patent No. 9,094,868 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c); and

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FURTHER ORDERED that oral argument in IPR2024-01468 and IPR2025-00426, scheduled for February 11, 2026, is canceled.

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For PETITIONER in IPR2024-01468:

Jacob K. Baron
Allison Lucier
HOLLAND & KNIGHT LLP
jacob.baron@hklaw.com
allison.lucier@hklaw.com
clientteamheadwaterlitigation@hklaw.com

For PETITIONER in IPR2025-00426 (joined with IPR2024-01468):

W. Karl Renner
Jeremy J. Monaldo
FISH & RICHARDSON P.C.
axf-ptab@fr.com
jjm@fr.com
ipr39843-0192ip1@fr.com

For PATENT OWNER:

Reza Mirzaie
Dale Chang
Amy Hayden
James A. Milkey
Neil Rubin
Philip X. Wang
RUSS, AUGUST & KABAT
rmirzaie@raklaw.com
dchang@raklaw.com
ahayden@raklaw.com
jmilkey@raklaw.com
nrubin@raklaw.com
pwang@raklaw.com
rak_headwater@raklaw.com