Trials@uspto.gov
Tel: 571-272-7822

Paper 13
Entered: July 2, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

T-MOBILE USA, INC., T-MOBILE US, INC.,
SPRINT SPECTRUM L.P., and SPRINTCOM, INC.,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

Case IPR2018-01773
Patent 8,897,828 B2

Before KRISTEN L. DROESCH, MICHAEL W. KIM, and
JASON W. MELVIN, *Administrative Patent Judges*.

MELVIN, *Administrative Patent Judge*.

ORDER
Granting Joint Motion to Terminate
Granting Joint Request to Keep Confidential and Separate
35 U.S.C. § 317; 37 C.F.R. §§ 42.72, 42.74

I. INTRODUCTION

Petitioner and Patent Owner (collectively referred to as "the Parties") have requested that the above-identified *inter partes* review proceeding be terminated. On June 25, 2019, we authorized the Parties to file a joint motion to terminate the above-identified proceeding. On June 25, 2019, the Parties filed the Joint Motion to Terminate ("Joint Motion"). Paper 11. Along with the Joint Motion, the Parties filed copies of two Patent License Agreements ("Settlement Agreements" (Exs. 1011, 1012)). The Parties also filed a Joint Request that the Settlement Agreements be Treated as Business Confidential Information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) ("Joint Request"). Paper 12.

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, that the filed Settlement Agreements are true and accurate copies, and that there are no other written or oral agreements. Paper 11, 1, 3–4.

We have not yet decided the merits of this proceeding, and a final written decision has not been entered. Notwithstanding that the proceeding has moved beyond the preliminary stage, the Parties have shown adequately that the termination of the above-identified proceeding is appropriate. Under these circumstances, we determine that good cause exists to terminate the above-identified proceeding.

Regarding the Parties Joint Request to treat the Settlement Agreements as business confidential information, we determine that good cause exists to treat the Settlement Agreements (Exs. 1011, 1012) between

Petitioner and Patent Owner as business confidential information pursuant to 35 U.S.C. § 317(b) and 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

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motion to Terminate (Paper 11) is *granted*, and IPR2018-01773 is *terminated*; and

FURTHER ORDERED that the Joint Request (Paper 12) to treat the Settlement Agreements (Exs. 1011, 1012) as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is *granted*.

PETITIONER:

Robert Hilton
rhitlon@mcguirewoods.com

George Davis
gdavis@mcgruirewoods.com

PATENT OWNER:

Byron Pickard
bpickard-ptab@sternekessler.com

Lestin Kenton
lkenton-ptab@sternekessler.com

Tim Tang
ttang-ptab@sternekessler.com

Daniel Block
dblock-ptab@sternekessler.com

Tyler Dutton
tdutton-ptab@sternekessler.com

James Hietala
jhietala@intven.com

Russell Rigby
rrigby@intven.com

Tim Seeley
tims@intven.com