

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VONAGE HOLDINGS CORP.,
VONAGE AMERICA, INC.,
VONAGE MARKETING LLC, and
NETFLIX, INC.,
Petitioner,

v.

STRAIGHT PATH IP GROUP, INC.,
Patent Owner.

Case IPR2014-01223 (Patent 6,513,066)
Case IPR2014-01224 (Patent 6,701,365)
Case IPR2014-01225 (Patent 6,009,469)
Case IPR2014-01234 (Patent 6,131,121)
Case IPR2014-01241 (Patent 6,108,704)

Before KALYAN K. DESHPANDE, THOMAS L. GIANNETTI, and
TRENTON A. WARD, *Administrative Patent Judges*.

WARD, *Administrative Patent Judge*.

ORDER
Conduct of Proceeding
37 C.F.R. § 42.5

IPR2014-01223 (Patent 6,513,066)
IPR2014-01224 (Patent 6,701,365)
IPR2014-01225 (Patent 6,009,469)
IPR2014-01234 (Patent 6,131,121)
IPR2014-01241 (Patent 6,108,704)

A conference call was held on September 5, 2014 and attended by Administrative Patent Judges Ward and Deshpande and respective counsel for the parties to discuss a request for authorization to file a motion to terminate. Netflix, Inc. (“Netflix”) and Patent Owner Straight Path IP Group, Inc. seek to file a joint motion to terminate the above captioned cases only with respect to Netflix. Vonage Holdings Corp., Vonage America, Inc., and Vonage Marketing LLC (“Vonage Parties”) do not oppose the joint motion by Netflix and Patent Owner. Counsel for the Vonage Parties and counsel for the Patent Owner acknowledged that even if the joint motion to terminate these proceedings with respect to Netflix is granted, these proceedings will continue forward with the Vonage Parties and the Patent Owner.

The Board authorizes filing of a Joint Motion to Terminate the Proceeding as to Netflix. *See* 37 C.F.R. § 42.74. The motion must be filed by Tuesday, September 23, 2014.

This Joint Motion must (1) include an explanation as to why termination is appropriate; (2) identify all defendants in any related district court litigation in which infringement or invalidity of the claims of U.S. Patent Nos. 6,513,066, 6,701,365, 6,009,469, 6,131,121, and 6,108,704 have been alleged; and (3) specifically discuss the current status of each such related litigation with respect to each party to that litigation.

In addition, the Joint Motion to Terminate must be accompanied by a true copy of any agreement or understanding among the parties (including any collateral agreements referred to in such agreement or understanding) made in connection with, or in contemplation of, the termination of these proceedings, in

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accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). These documents should be filed as separate papers. A redacted version of a document is not a true copy.

Under 37 C.F.R. § 42.74(c), the parties may file a request to treat such documents as business confidential. The parties are herein directed to FAQ G2 on the Board's website page at <http://www.uspto.gov/ip/boards/bpai/prps.jsp> for further information.

Accordingly, it is:

ORDERED that the parties are authorized to file a Joint Motion to Terminate these proceedings with respect to Netflix;

FURTHER ORDERED that the Joint Motion is due by September 19, 2014; and

FURTHER ORDERED that the Joint Motion shall meet all the requirements of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), including those discussed above, regarding filing of settlement documents.

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