

From: [Trials](#)
To: [Kent Shum](#); [Trials](#)
Cc: [Eliot.Williams@BakerBotts.com](#); [jennifer.nall@bakerbotts.com](#); [Jay Chung](#); [nrubin@raklaw.com](#); [Christopher Ponder](#); [Jeffrey Liang](#); [Harper Batts](#)
Subject: RE: Request to file motions: Case Nos. IPR2018-01090, -01195, -01169, -01170, -01187,, -01189 , -01227
Date: Monday, October 1, 2018 8:22:19 AM

Counsel,

The Board has determined no call is necessary. The parties are hereby authorized to file concurrently in each case: (1) a Joint Motion to Terminate and (2) a Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b). The parties shall file the Joint Motion and Joint Request no later than fifteen (15) days from the date of this authorization.

The Joint Motion to Terminate shall refer to this authorization and must update the Board concerning the status of any litigation or proceeding involving the challenged patents. The Joint Motion to Terminate must advise the Board whether any litigation or proceeding involving the challenged patents is contemplated by the parties in the foreseeable future.

The parties are reminded that “[a]ny agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and a true copy shall be filed with the Board before the termination of the trial.” *See* 37 C.F.R. § 42.74(b). The Joint Motion to Terminate must include a statement certifying that the parties have complied fully with 37 C.F.R. § 42.74(b) by providing any such agreements or understandings, the agreements or understandings provided reflect final settlement and resolution of all disputes in this matter between the parties, and there are no other collateral agreements or understandings made in connection with, or in contemplation of, the termination sought. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(b).

Regards,

Andrew Kellogg,
Supervisory Paralegal
Patent Trial and Appeal Board
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From: Kent Shum <kshum@raklaw.com>
Sent: Wednesday, September 26, 2018 10:10 PM
To: Trials <Trials@USPTO.GOV>
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Dear Sir/Madam:

Petitioners Hulu and Amazon, and Patent Owner Realtime, have reached a settlement and request permission to file Joint Motions to Terminate in the above-referenced IPRs.

Specifically, in Case Nos. IPR2018-01090 and -01195, where Hulu is the sole petitioner, Hulu and Realtime request termination of the IPRs with respect to all parties. For Case Nos. IPR2018-01169, -01170, -01187, -01189, and -01227, where Hulu, Amazon, and Netflix are petitioners, Hulu, Amazon, and Realtime request termination of the IPRs with respect to Hulu and Amazon. Netflix will remain as a petitioner in those IPRs.

Hulu, Amazon, and Realtime also seek permission to file Joint Requests to Keep Separate with respect to the confidential Settlement Agreements that will also be filed.

Should the Board require a conference call, counsel for the parties are generally available this Friday between 9 a.m. and 5 p.m. (Pacific).

Sincerely,

Kent Shum
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