

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE COMMUNICATIONS, LLC,
Petitioner,

v.

ROVI GUIDES, INC.,
Patent Owner.

IPR2020-00790 (Patent 7,301,900 B1)¹
IPR2020-00791 (Patent 7,301,900 B1)
IPR2020-00792 (Patent 7,301,900 B1)
IPR2020-00793 (Patent 7,301,900 B1)
IPR2020-00787 (Patent 7,200,855 B2)
IPR2020-00788 (Patent 7,200,855 B2)
IPR2020-00789 (Patent 7,200,855 B2)
IPR2020-00809 (Patent 8,156,528 B2)
IPR2020-00810 (Patent 8,156,528 B2)
IPR2020-00811 (Patent 8,156,528 B2)

Before KALYAN K. DESHPANDE, BARBARA A. PARVIS,
SHEILA F. McSHANE, and CHRISTOPHER L. OGDEN,
*Administrative Patent Judges*².

PER CURIAM.

¹ This Order applies to each of the above-listed proceedings. We exercise our discretion to issue one Order to be filed in each proceeding. The parties are not authorized to use this heading style in any subsequent papers.

² This is not an expanded panel of the Board. It is a listing of all Judges on the panels of the above-listed proceedings.

IPR2020-00790 (Patent 7,301,900 B1)
IPR2020-00791 (Patent 7,301,900 B1)
IPR2020-00792 (Patent 7,301,900 B1)
IPR2020-00793 (Patent 7,301,900 B1)
IPR2020-00787 (Patent 7,200,855 B2)
IPR2020-00788 (Patent 7,200,855 B2)
IPR2020-00789 (Patent 7,200,855 B2)
IPR2020-00809 (Patent 8,156,528 B2)
IPR2020-00810 (Patent 8,156,528 B2)
IPR2020-00811 (Patent 8,156,528 B2)

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

Comcast Cable Communications, LLC (“Petitioner”) filed Petitions requesting *inter partes* reviews in the referenced proceedings. These proceedings are still in their preliminary stages and no trials have yet been instituted.

On November 10, 2020, Petitioner filed, with authorization, motions titled Joint Motion To Withdraw Petition For *Inter Partes* Review (“Motion”) in each proceeding.³ In addition, Petitioner filed copies of related agreements and understandings⁴, along with Joint Requests That the Parties’ Agreements Be Treated As Business Confidential Information⁵,

³ IPR2020-00790, Paper 8; IPR2020-00791, Paper 8; IPR2020-00792, Paper 8; IPR2020-00793, Paper 8; IPR2020-00787, Paper 10; IPR2020-00788, Paper 10; IPR2020-00789, Paper 10; IPR2020-00809, Paper 10; IPR2020-00810, Paper 10; IPR2020-00811, Paper 10.

⁴ IPR2020-00790, Exs. 1030, 1031; IPR2020-00791, Exs. 1130, 1131; IPR2020-00792, Exs. 1230, 1231; IPR2020-00793, Exs. 1330, 1331; IPR2020-00787, Exs. 1048, 1049; IPR2020-00788, Exs. 1144, 1145; IPR2020-00789, Exs. 1253, 1254; IPR2020-00809, Exs. 1023, 1024; IPR2020-00810, Exs. 1123, 1124; IPR2020-00811, Exs. 1223, 1224.

⁵ IPR2020-00790, Paper 9; IPR2020-00791, Paper 9; IPR2020-00792, Paper 9; IPR2020-00793, Paper 9; IPR2020-00787, Paper 11; IPR2020-00788,

IPR2020-00790 (Patent 7,301,900 B1)
IPR2020-00791 (Patent 7,301,900 B1)
IPR2020-00792 (Patent 7,301,900 B1)
IPR2020-00793 (Patent 7,301,900 B1)
IPR2020-00787 (Patent 7,200,855 B2)
IPR2020-00788 (Patent 7,200,855 B2)
IPR2020-00789 (Patent 7,200,855 B2)
IPR2020-00809 (Patent 8,156,528 B2)
IPR2020-00810 (Patent 8,156,528 B2)
IPR2020-00811 (Patent 8,156,528 B2)

requesting that the settlement and license agreements be kept separately and be treated as business confidential information. *See* Paper 9, 1⁶.

In the Motion, the parties jointly request that the proceedings be terminated in their entirety. Mot. 2. The parties represent that they have settled all of their disputes related to the challenged patents at issue, the proceedings are in an early stage with no decision on trial institution issued, and terminating the proceedings would serve the interests of judicial economy and the mutual interests of the parties. *Id.*

Under 37 C.F.R. § 42.71(a), the Board may “dismiss any petition.” The cases are still in the preliminary proceeding stage, and the Board has not yet decided whether to institute trial. Under these circumstances, we determine that it is appropriate to dismiss the Petitions and terminate each case without rendering a decision on institution. Because the parties have agreed to settle the proceeding and have submitted settlement and license agreements, we agree with the parties that the settlement and license agreements should be treated as business confidential information and kept

Paper 11; IPR2020-00789, Paper 11; IPR2020-00809, Paper 11; IPR2020-00810, Paper 11; IPR2020-00811, Paper 11.

⁶ Further citations are to IPR2020-00790 as representative, except as otherwise noted herein.

IPR2020-00790 (Patent 7,301,900 B1)
IPR2020-00791 (Patent 7,301,900 B1)
IPR2020-00792 (Patent 7,301,900 B1)
IPR2020-00793 (Patent 7,301,900 B1)
IPR2020-00787 (Patent 7,200,855 B2)
IPR2020-00788 (Patent 7,200,855 B2)
IPR2020-00789 (Patent 7,200,855 B2)
IPR2020-00809 (Patent 8,156,528 B2)
IPR2020-00810 (Patent 8,156,528 B2)
IPR2020-00811 (Patent 8,156,528 B2)

separate from the files of the involved patents. 37 C.F.R. § 42.74.

Therefore, the Joint Motions are granted.

Accordingly, it is

ORDERED that the Joint Motions are *granted*;

FURTHER ORDERED that the Petitions in each of the proceedings are *dismissed*;

FURTHER ORDERED that the proceedings are *terminated*;

FURTHER ORDERED that the parties' requests that the settlement and license agreements in each of the above-captioned cases be treated as business confidential information, to be kept separately, are *granted*;

FURTHER ORDERED that the settlement and license agreements (IPR2020-00790, Exs. 1030, 1031; IPR2020-00791, Exs. 1130, 1131; IPR2020-00792, Exs. 1230, 1231; IPR2020-00793, Exs. 1330, 1331; IPR2020-00787, Exs. 1048, 1049; IPR2020-00788, Exs. 1144, 1145; IPR2020-00789, Exs. 1253, 1254; IPR2020-00809, Exs. 1023, 1024; IPR2020-00810, Exs. 1123, 1124; IPR2020-00811, Exs. 1223, 1224) shall be treated as business confidential information and shall be kept separate from the pertinent file consistent with 37 C.F.R. § 42.74(b).

IPR2020-00790 (Patent 7,301,900 B1)
IPR2020-00791 (Patent 7,301,900 B1)
IPR2020-00792 (Patent 7,301,900 B1)
IPR2020-00793 (Patent 7,301,900 B1)
IPR2020-00787 (Patent 7,200,855 B2)
IPR2020-00788 (Patent 7,200,855 B2)
IPR2020-00789 (Patent 7,200,855 B2)
IPR2020-00809 (Patent 8,156,528 B2)
IPR2020-00810 (Patent 8,156,528 B2)
IPR2020-00811 (Patent 8,156,528 B2)

For PETITIONER:

Frederic Meeker
Blair Silver
C. Andy Mu
Wesley W. Jones
Craig W. Kronenthal
BANNER & WITCOFF, LTD.
bsilver@bannerwitcoff.com
fmeeker@bannerwitcoff.com
amu@bannerwitcoff.com
wjones@bannerwitcoff.com
ckronenthal@bannerwitcoff.com

For PATENT OWNER:

Jason Eisenberg
Robert E. Sokohl
David Haars
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
jasone-ptab@sternekessler.com
rsokohl-ptab@sternekessler.com
dhaars-ptab@sternekessler.com