

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ZOND, LLC,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 1:13-CV-11567-DJC
v.	)	
	)	
THE GILLETTE COMPANY and	)	
THE PROCTER & GAMBLE COMPANY,	)	
	)	
Defendants.	)	

JOINT STATUS REPORT

Pursuant to the Court’s February 3, 2017 Order extending the stay of this case (Dkt. No. 133), Plaintiff Zond, LLC (“Zond”) and Defendants The Gillette Company and The Procter & Gamble Company (collectively, “Gillette”) hereby submit this Joint Status Report regarding the status of the *inter partes* review (“IPR”) petitions filed to date.

Zond has asserted ten patents-in-suit against Gillette: U.S. Patent No. 8,125,155 (the “155 Patent”), U.S. Patent No. 6,896,775 (the “775 Patent”), U.S. Patent No. 6,896,773 (the “773 Patent”), U.S. Patent No. 7,147,759 (the “759 Patent”), U.S. Patent No. 6,853,142 (the “142 Patent”), U.S. Patent No. 6,805,779 (the “779 Patent”), U.S. Patent No. 7,808,184 (the “184 Patent”), U.S. Patent No. 7,811,421 (the “421 Patent”), U.S. Patent No. 7,604,716 (the “716 Patent”), and U.S. Patent No. 6,806,652 (the “652 Patent”).

After Gillette filed IPR petitions seeking to invalidate each claim of all ten of the patents-in-suit, the United States Patent and Trademark Office (“PTO”) instituted IPR trials challenging every claim of the patents-in-suit. The PTO invalidated all of the claims of all ten of the patents-in-suit. Zond filed notices of appeal for all ten of the patents-in-suit but only fully pursued

appeals of five patents before the Federal Circuit—it voluntarily dismissed its appeals as to all claims of the other five patents. On appeal, the Federal Circuit affirmed the invalidation of all claims of the remaining five patents. After the Federal Circuit issued its judgments on January 18, 2017, Zond chose not to seek rehearing or rehearing *en banc*, or to appeal the Federal Circuit’s judgments to the Supreme Court of the United States. As a result, all claims of all ten of the patents-in-suit have been finally adjudicated as invalid.

With the IPR and appeals process complete, there are no valid claims of any of the ten patents-in-suit left for the Court to adjudicate. Because all claims of all ten patents-in-suit have been invalidated, the parties have agreed that the stay should be lifted.

Gillette intends to move for attorneys’ fees and costs. Zond does not agree that Gillette is entitled to recover any costs or fees or has any basis to make its motion. The parties have agreed to the following briefing schedule for Gillette’s motion:

Gillette shall file its motion on or before August 18, 2017. Zond shall file its opposition on or before September 19, 2017. Gillette shall file a reply, if any, by October 6, 2017. If Gillette files a reply, Zond shall file a surreply, if any, by October 20, 2017.

Dated: July 14, 2017

Respectfully submitted,

/s/ Christopher R. Noyes

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Dated: July 14, 2017

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CERTIFICATE OF SERVICE

I, Christopher R. Noyes, hereby certify that on July 14, 2017 a true and correct copy of the foregoing Joint Status Report was served by ECF upon all counsel of record for Zond, LLC.

/s/ Christopher R. Noyes