

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INVENSENSE, INC.
Petitioner

v.

STMICROELECTRONICS, INC.
Patent Owner

Case IPR2013-00241
Patent 6,370,954 B1

Before STEPHEN C. SIU, BRIAN J. McNAMARA, and JAMES B. ARPIN,
Administrative Patent Judges.

McNAMARA, *Administrative Patent Judge.*

JUDGMENT
TERMINATION OF THE PROCEEDING
37 C.F.R. § 42.73

The parties have requested that this trial proceeding be terminated pursuant to a settlement. On February 13, 2014, we authorized the parties to file a Joint Motion To Terminate and a Joint Request to File the Settlement as Business Confidential under 37 C.F.R. 42.74(c). Paper 26. On March 24, 2014, the parties filed a Joint Motion to Terminate Proceeding (“Joint Motion to Terminate”), Paper 27, and a Joint Request to File the Settlement Agreement as Business Confidential Information (“Request For Confidential Treatment”), Paper 28. See 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. With their Motion To Terminate and Request For Confidential Treatment, the parties also filed a copy of a written settlement agreement. Ex. 1019.

Our decision to institute a trial was entered on October 11, 2013. Paper 11. A Patent Owner Response (Paper 22) and Motion To Amend (Paper 23) were filed on January 13, 2014. Petitioner had not filed an Opposition to the Motion to Amend at the time the parties notified us of their settlement. In their Joint Motion to Terminate, the parties represent that they have settled the only other related proceedings, i.e., *STMicroelectronics, Inc. v. InvenSense, Inc.*, no. 13-cv-1116, (N.D. Cal. filed Mar. 12, 2013), and a U.S. International Trade Commission complaint titled *In re Certain Microelectromechanical Systems (“MEMS Devices”) and Products Containing Same*, Docket No. 2942, filed March 11, 2013, and assigned Investigation No. 337-TA-876A. The parties have identified no other proceedings involving Patent No. US 6,370,954 B1 (“the subject patent”), and Patent Owner represents that it does not contemplate initiating any such proceedings involving the subject patent in the foreseeable future. See, Joint Motion to Terminate.

Under these circumstances, we determine that it is appropriate to enter judgment¹ and to terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated; and

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information which shall be kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

¹ A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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