

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BEST BUY STORES, L.P. AND BEST BUY.COM, LLC,
Petitioner,

v.

YONGJIANG YIN and SHENZHEN EL LIGHTING CO. LTD.,
Patent Owner.

Case IPR2014-01448
Patent 7,671,279 B2

Before DEBRA K. STEPHENS, JENNIFER S. BISK, and
PETER P. CHEN, *Administrative Patent Judges*.

DEBRA K. STEPHENS, *Administrative Patent Judge*.

JUDGMENT

Termination of Proceeding after Institution

37 C.F.R. § 42.73

On May 1, 2015, Best Buy Stores, L.P., and BestBuy.com, LLC (“Petitioner”), and Yongjiang Yin and Shenzhen EL Lighting Co. Ltd (“Patent Owner”), filed a Joint Motion to Terminate in the above-identified proceeding, directed to U.S. Patent 7,671,279. Paper 21. The parties also filed a true copy of their Written Settlement Agreement, made in connection with the termination of the proceedings, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Ex. 2005. Additionally, the parties submitted a Joint Request to have their Written Settlement Agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 22. For the reasons set forth below, the Joint Motion to Terminate and the Joint Request are *granted*.

In their Joint Motion to Terminate, the parties indicate that they have settled all of their disputes involving U.S. Patent 7,671,279. Paper 21, 1. In particular, the parties have settled and Petitioner has been dismissed with prejudice in the related district court litigation, *Shenzhen El Lighting Technology Co., LTD v Sure-Fire Electrical Corp.*, No.1:14-cv-00727-PAB-CBS (D. Col.). Exhibit 2006.

The parties request the Board to terminate the above-identified proceedings with respect to both parties, because the Board has yet to decide on the merits of the proceedings and because both parties have jointly requested termination. Paper 21, 2.

Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). Upon consideration of the facts before us, we determine that it is appropriate to terminate the above-identified proceedings as to both parties, and enter judgment.

For the foregoing reasons, it is:

ORDERED that the Joint Motion to Terminate the above-identified *inter partes* review as to Best Buy Stores, L.P., and BestBuy.com, LLC, is granted;

FURTHER ORDERED that the above-identified proceedings are terminated *only* as to Best Buy Stores, L.P., and BestBuy.com, LLC; and

FURTHER ORDERED that the parties' Joint Request that their Written Settlement Agreement be treated as business confidential information kept separate from the patent file, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*.

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PETITIONER:

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