

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VIEW, INC.,
Petitioner,

v.

SAGE ELECTROCHROMICS, INC.,
Patent Owner.

IPR2015-00245, Patent 7,193,763 B2;
IPR2015-00275, Patent 6,337,758 B1

Before JAMES B. ARPIN, DAVID C. MCKONE, and
JO-ANNE M. KOKOSKI, *Administrative Patent Judges*.

MCKONE, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

IPR2015-00245, Patent 7,193,763 B2;
IPR2015-00275, Patent 6,337,758 B1

On May 21, 2015, the parties informed the Board that the parties had settled the proceedings and that the parties sought authorization to file a joint motion to terminate the proceedings. On May 22, 2015, we authorized the filing of a joint motion. On June 2, 2015, and pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the parties filed in each proceeding a joint motion to terminate. See IPR2015-00245, Paper 9; IPR2015-00275, Paper 9. In the joint motions, the parties represent that the settlement agreement filed is a true copy and resolves all Patent Office and District Court proceedings between the parties, including related case *Sage Electrochromics, Inc. v. View, Inc.*, Case No. 12-6441 (N.D. Cal.), and that no other litigation or proceeding is active or contemplated for the '763 or '758 patents.

These proceedings were instituted on May 12, 2015, and are at an early stage. Patent Owner has not yet filed a Patent Owner Response. In view of the early stage of these proceedings, and the concurrent settlement of the district court litigation, the Board determines that it is appropriate to terminate the proceedings with respect to both parties. Based on the facts of these cases, it is appropriate to enter judgment.¹ Therefore, the joint motions to terminate the proceedings are granted.

The parties also filed joint requests that the settlement agreement (IPR2015-00245, Ex. 1019; IPR2015-00275, Exhibit 1017) be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). IPR2015-00245, Paper 10; IPR2015-00275, Paper 10.

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

IPR2015-00245, Patent 7,193,763 B2;
IPR2015-00275, Patent 6,337,758 B1

Accordingly, it is

ORDERED that the parties' joint requests that the settlement agreement be treated as business confidential information, to be kept separate from the patent file are *granted*;

FURTHER ORDERED that the joint motions to terminate the proceedings are *granted*; and

FURTHER ORDERED that the proceedings are *terminated*.

PETITIONER:

Joseph Haag
joseph.haag@wilmerhale.com

Jason Kipnis
jason.kipnis@wilmerhale.com

Owen Allen
owen.allen@wilmerhale.com

PATENT OWNER:

Mehran Arjomand
marjomand@mofo.com

Erol Basol
ebasol@mofo.com