

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ROHM AND HAAS ELECTRONIC MATERIALS KOREA, LTD.,
Petitioner,

v.

IDEMITSU KOSAN CO., LTD.,
Patent Owner.

Case IPR2015-00796 (Patent 8,685,543 B2)
Case IPR2015-00797 (Patent 8,652,654 B2)¹

Before GRACE KARAFFA OBERMANN, BRIAN P. MURPHY, and
JEFFREY W. ABRAHAM, *Administrative Patent Judges*

ABRAHAM, *Administrative Patent Judge.*

ORDER
Dismissing the Petitions
37 C.F.R. §§ 42.5(a), 42.71(a)

¹ This order addresses motions to terminate based on a settlement agreement that resolves both cases. We, therefore, exercise our discretion to issue a single order to be entered in each case. The parties are not authorized to use this style heading in any filing.

IPR2015-00796 (Patent 8,685,543 B2)

IPR2015-00797 (Patent 8,652,654 B2)

On June 22, 2015, the parties filed in each proceeding a Joint Motion to Terminate. IPR 2015-00796, Paper 6; IPR 2015-00797, Paper 5. With the Joint Motions, the parties filed a copy of a written settlement agreement and a Joint Request to have the settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). IPR 2015-00796, Paper 7 and Ex. 1013; IPR 2015-00797, Paper 6 and Ex. 1015.

These proceedings are at an early stage. Patent Owner has not yet filed a Preliminary Response in either proceeding and the Board has not yet determined whether to institute trial. The parties indicate that they have agreed to resolve their dispute related to the challenged patents. *See, e.g.*, IPR 2015-00796, Paper 6 at 2. Under these circumstances, we determine that it is appropriate to dismiss each petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

In view of the foregoing, it is

ORDERED that the Petitions are *dismissed*;

FURTHER ORDERED that the parties' Joint Requests to have their settlement agreement treated as business confidential information, to be kept separate from the patent file, are *granted*.

IPR2015-00796 (Patent 8,685,543 B2)

IPR2015-00797 (Patent 8,652,654 B2)

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