

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RICOH AMERICAS CORP. and RICOH ELECTRONICS, INC.,
Petitioner,

v.

CYBERFONE SYSTEMS, LLC,
Patent Owner.

Case IPR2015-00837
Patent 6,044,382

Before TRENTON A. WARD, KERRY BEGLEY, and WILLIAM M. FINK,
Administrative Patent Judges.

WARD, *Administrative Patent Judge.*

DECISION
Motion to Terminate
37 C.F.R. § 42.5(a), 42.71(a), 42.72, and 42.74

On July 29, 2015, Ricoh Americas Corp. and Ricoh Electronics, Inc. (collectively, “Petitioner”) and Cyberfone Systems, LLC (“Patent Owner”) filed a joint motion to terminate the case. Paper 8. Along with the motion, the parties filed a copy of a document they described as the written settlement agreement (Ex. 2001), as well as a separate joint request to treat the settlement agreement as business confidential information under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 9.

The Board generally expects that a case “will terminate after the filing of a settlement agreement, unless the Board has already decided the merits.” *Office Patent Trial Practice Guide*, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012); *see* 37 C.F.R. § 42.72. The parties stated in their motion that they have settled the underlying dispute and reached an agreement to terminate this case. Paper 8, 2.

The Board has not instituted a trial in this case. Upon consideration of the facts before us, we determine that it is appropriate to terminate this case without rendering either a decision to institute *inter partes* review or a final written decision. *See* 37 C.F.R. §§ 42.5(a), 42.71(a), 42.72, 42.74.

Accordingly, it is:

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

FURTHER ORDERED that the joint request of the parties that the settlement agreement (Ex. 2001) be treated as business confidential information, kept separate from the file of the involved patent, and made available only to Federal Government agencies on written request, or to any

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person on a showing of good cause, under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

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