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Paper 19
Entered: August 19, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC.,
Petitioner,

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC,
Patent Owner.

Case IPR2016-00195
Patent 8,868,060 B2

Before JENNIFER S. BISK, GREGG I. ANDERSON, and WILLIAM M. FINK, *Administrative Patent Judges*.

ANDERSON, *Administrative Patent Judge.*

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

On August 16, 2016, the parties filed a "Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74" ("Motion," "Mot.," Paper 17) based on a settlement that resolves the parties' disputes related to the challenged patent. The parties concurrently filed a true copy of the settlement agreement (Ex. 2004). The parties request that Exhibits 2003 be treated as business confidential information and be kept separate from the underlying files. *Id.* at 3. Specifically, the parties have filed a Joint Request That the Settlement Agreement be Treated as Business Confidential Information Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74. Paper 18. "A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application." 37 C.F.R. § 42.74(c).

The parties jointly certify that there is no other agreement or understanding between them, including any collateral agreements, made in connection with, or in contemplation of termination of the instant proceeding as set forth in 35 U.S.C. § 317(b). Mot. at 4. The parties have identified all the parties in the District Court Litigation with respect to US Patent 8,868,060 ("'060 patent"). *Id.* at 5–6. The status of all pending litigation involving the '060 patent has been provided. *Id.*.

We have entered a decision on institution in the proceeding. *See* Paper 7. Under these circumstances, we determine that it is appropriate to dismiss the Petition. *See* 37 C.F.R. §§ 42.5(a), 42.72. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

ORDER

Accordingly, it is

ORDERED that the Joint Motion to Terminate (Paper 17) is granted;

FURTHER ORDERED that that the settlement agreement (Exhibit 2004) be treated as business confidential information, be designated "Parties and Board Only," and both will be kept separate from the files of the involved U.S. Patent No. 8,868,060; and

FURTHER ORDERED that this *inter partes* review is hereby terminated.

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