Trials@uspto.gov
571-272-7822

Paper No. 39
Entered: January 24, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD.,
Petitioner,

v.

GODO KAISHA IP BRIDGE 1,
Patent Owner.

Case IPR2017-01862
Patent 7,265,450 B2

Before JUSTIN T. ARBES, JEFFREY W. ABRAHAM, and SCOTT E. BAIN, *Administrative Patent Judges.*

ABRAHAM, *Administrative Patent Judge*.

ORDER
Termination of the Proceeding
35 U.S.C. § 317 and *37 C.F.R. §§ 42.72, 42.74*

On January 22, 2019, pursuant to 35 U.S.C. § 317(a), the parties filed a Joint Motion to Terminate this proceeding. Paper 36 ("Motion"). In the Motion, the parties indicate that they have reached a settlement related to

U.S. Patent No. 7,265,450 B2, and that there are no longer any disputes between the parties involving this patent. Accompanying the Motion, the parties filed a true copy of a settlement agreement along with a Joint Request to treat the settlement agreement as confidential, to be kept separate from the patent file under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Paper 37; Ex. 2006. We authorized the filing of these papers in an email sent on January 14, 2019.

Under 35 U.S.C. § 317(a), an *inter partes* review proceeding shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Patent and Trademark Office has decided the merits of the proceeding before the request for termination is filed. We entered a Decision to Institute an *inter partes* review in this case on February 6, 2018. Paper 9.[1] The parties have filed numerous papers in this case, and we held an oral hearing on November 1, 2018. Although this proceed is at a late stage of the trial, we have not yet entered a final written decision on the merits. Based on these facts, we determine it is appropriate to terminate the proceeding. 37 C.F.R. §§ 42.72, 42.74; *see, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). Thus, the Joint Motion to Terminate the proceeding is granted.

[1] The parties incorrectly indicate that "[t]he merits have not been decided because this proceeding is in a preliminary stage, that is, no decision on institution has been entered." Motion, 2.

Accordingly, it is

ORDERED that the parties' Joint Motion to Terminate the proceeding is granted;

FURTHER ORDERED that the parties' Joint Request that the settlement agreement (Ex. 2006) be treated as business confidential information, to be 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, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is granted; and

FURTHER ORDERED that the proceeding is terminated.

PETITIONER:

Lori Gordon
Jeffrey Mills
Timothy Caine
KING & SPALDING LLP
lgordon@kslaw.com
jmills@kslaw.com
tcaine@kslaw.com

PATENT OWNER:

Gerald Hrycyszyn
Edmund Walsh
Richard Giunta
Joshua Miller
WOLF, GREENFIELD & SACKS, P.C.
ghrycyszyn-ptab@wolfgreenfield.com
ewalsh-ptab@wolfgreenfield.com
rgiunta-ptab@wolfgreenfield.com
joshua.miller@wolfgreenfield.com