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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY, LTD.,
Petitioner,

v.

DR. URI COHEN,
Patent Owner.

Case IRP2018-00470
Case IRP2018-00471
Case IRP2018-00770
Case IRP2018-00771
Patent 6,924,226 B2[1]

Before THU A. DANG, KEN B. BARRETT, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge.*

ORDER
Dismissing Petitions Pursuant to Settlement
37 C.F.R. §§ 42.71(a), 42.74

[1] This Order will be entered in each case. The parties are not authorized to use this heading style for any subsequent papers.

In each of these proceedings, the parties filed a Joint Motion to Terminate *Inter Partes* Review. IPR2018-00470, Paper 18; IPR2018-00471, Paper 16; IRP2018-00770, Paper 6; IRP2018-00771, Paper 6. The parties also filed a copy of a written settlement agreement and associated collateral agreements. IPR2018-00470, Exs. 1038–1040; IPR2018-00471, Exs. 1038–1040; IRP2018-00770, Exs. 1060–1062; IRP2018-00771, Exs. 1060–1062. The parties further filed a joint request to have the settlement agreement, including the collateral agreements, treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). IPR2018-00470, Paper 19; IPR2018-00471, Paper 17; IRP2018-00770, Paper 7; IRP2018-00771, Paper 7.

Patent Owner has filed a Preliminary Response in these cases, but the Board has not yet issued institution decisions. The parties represent that their settlement agreement resolves all underlying disputes with respect to the challenged patent. IPR2018-00470, Paper 18, 1–2; IPR2018-00471, Paper 16, 1–2; IRP2018-00770, Paper 6, 1–2; IRP2018-00771, Paper 6; 1–2. Under these circumstances, we determine that it is appropriate to dismiss the Petitions. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). After reviewing the parties' settlement agreement, we find that the settlement agreement contains confidential business information regarding the terms of settlement and good cause exists to treat the settlement agreement, including the collateral agreements, as business confidential information pursuant to 35 U.S.C. § 317(b).

The parties also "jointly request that the Board order that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)-(2), for access to the settlement agreement and/or its associated collateral agreements, that any such written request be served upon the parties on the day the written request is provided to the Board." IPR2018-00470, Paper 19, 1–2; IPR2018-00471, Paper 17, 1–2; IRP2018-00770, Paper 7, 1; IRP2018-00771, Paper 7, 1. We decline to impose upon non-parties an obligation beyond any required by law or regulation.

This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

Accordingly, it is

ORDERED that the Petitions are *dismissed*;

FURTHER ORDERED that the parties' settlement agreement, including the associated collateral agreements, (Exhibits 1038, 1039, and 1040 in IPR2018-00470; Exhibits 1038, 1039, and 1040 in IPR2018-00471; Exhibits 1060, 1061, and 1062 in IRP2018-00770; Exhibits 1060, 1061, and 1062 in IRP2018-00771) shall be treated as business confidential information and kept separate from the files of U.S. Patent No. 6,924,226, and remain designated as "Board and Parties Only."

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