

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG SDI CO., LTD., SAMSUNG SDI AMERICA, INC.,
SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

UBE INDUSTRIES, LTD.,
Patent Owner.

Case IPR2019-00649
Patent 10,050,307 B2

Before JO-ANNE M. KOKOSKI, KRISTINA M. KALAN, and
DEBRA L. DENNETT, *Administrative Patent Judges*.

KOKOSKI, *Administrative Patent Judge*.

SETTLEMENT
Dismissing the Petition
37 C.F.R. §§ 42.5(a) and 42.71(a)

On April 8, 2019, with Board authorization, the parties filed a joint motion to terminate this proceeding (Paper 6), along with what the parties indicate are copies of their written settlement agreements (Papers 7, 8). On the same day, the parties also filed a joint motion requesting that the settlement agreements be treated as confidential information and kept separate from the file of U.S. Patent No. 10,050,307 B2 (“the ’307 patent”). Paper 9.

The instant proceeding is in the early stages, and a decision on whether to institute trial has not been made. The parties represent “there are no other agreements or understandings, oral or written, between the parties, including any collateral agreements, made in connection with, or in contemplation of, the termination of the present proceeding.” Paper 6, 2. The parties also represent that they have “settled their dispute regarding the ’307 patent.” *Id.* at 4. Under these circumstances, it is appropriate to dismiss the Petition for *Inter Partes* Review.

Further, under 37 C.F.R. § 42.74(b), “[a]ny agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and a true copy shall be filed with the Board before the termination of the trial.” The parties filed what they indicate are “true and complete copies of the Settlement Agreements between the parties in connection with this matter.” Paper 6, 2. As requested by the parties, the settlement agreements will be treated as business confidential information and kept separate from the patent file. 37 C.F.R. § 42.74(c).

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

Accordingly, it is

ORDERED that the parties' joint request that the settlement agreements (Papers 7, 8) be treated as business confidential information (Paper 9) is *granted*;

FURTHER ORDERED that the joint motion to terminate the proceeding (Paper 6) is *granted*; and

FURTHER ORDERED that the Petition in this proceeding is hereby *dismissed*.

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