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Paper No. 12
Date Entered: December 11, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SZ DJI TECHNOLOGY, CO., LTD.,
Petitioner,

v.

DARELTECH, LLC,
Patent Owner.

IPR2019-00716
IPR2019-00717
Patent 9,037,128 B2[1]

Before BRIAN J. McNAMARA, KEVIN C. TROCK, and JASON W. MELVIN, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

[1]This order is to be filed in each case. The parties are not authorized to use this style heading in any subsequent papers.

The parties have requested that these proceedings be terminated pursuant to a settlement. On November 25, 2019, by e-mail the Board authorized the parties to file a Joint Motion To Terminate and a Joint Request that the Settlement Agreement Be Treated As Business Confidential Information under 37 C.F.R. 42.74(c). On November 27, 2019, the parties filed a Joint Motion to Terminate (Paper 11 in IPR2019-00716; Paper 10 in IPR2019-00717), and a Joint Request That The Settlement Agreement Be Treated As Business Confidential Information and Kept Separate (Paper 12 in IPR2019-00716; Paper 11 in IPR2019-00717). *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. The parties also filed a copy of a written settlement agreement. Exhibit 1045 in both proceedings.

A decision by the Board to institute a trial was entered on August 26, 2019. Paper 8 in both proceedings. Notwithstanding that the proceedings have moved beyond the preliminary stage, the parties have explained adequately the reason termination is appropriate. The parties have not identified any other related matters and have certified that there are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of the proceeding. Under these circumstances, the Board determines that it is appropriate to terminate the proceedings without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate each proceeding is GRANTED and each proceeding is hereby terminated;

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information which

shall be kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

PETITIONER: (via electronic transmission)

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