

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC,
Petitioner,

v.

BROWSE3D LLC,
Patent Owner.

IPR2019-01265
Patent 10,031,897 B2

Before THOMAS L. GIANNETTI, BRYAN F. MOORE, and
BRENT M. DOUGAL, *Administrative Patent Judges*.

DOUGAL, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
37 C.F.R. § 42.74

On January 14, 2020, the parties filed a “Joint Motion to Dismiss under 35 U.S.C. § 317 and 37 C.F.R. § 42.71(a)” and a “Joint Motion to Keep Confidential and Separate under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).” Paper 7; Paper 8. The parties also filed as confidential a copy

of their written settlement agreement as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Ex. 1022.

This proceeding is still in its preliminary stages. Petitioner, Unified Patents, LLC, filed a Petition requesting an *inter partes* review of claims 1–13 of U.S. Patent No. 10,031,897 B2. Paper 1. Patent Owner, Browse3D LLC, filed a Preliminary Response. Paper 6. We have not entered a decision whether or not to institute an *inter partes* review.

In the Joint Motion to Dismiss, the parties indicate that they have settled their dispute regarding the '897 patent. Paper 8, 1. Our review of the Settlement Agreement indicates that it “represent[s] the entire understanding between the Parties with respect to the subject matter of this Agreement.” Ex. 1022, 6. Under these circumstances, we determine that it is appropriate to terminate this proceeding without rendering any further decisions. See 37 C.F.R. § 42.72.

It is

ORDERED that the parties’ “Joint Motion to Dismiss under 35 U.S.C. § 317 and 37 C.F.R. § 42.71(a)” is *granted* and this proceeding is hereby terminated; and

FURTHER ORDERED that the parties’ “Joint Motion to Keep Confidential and Separate under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c)” is *granted* and the settlement agreement (Ex. 1022) will be treated as business confidential information and be kept separate from the file of the involved patents under the provisions of 37 C.F.R. § 42.74(c).

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