

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE COMMUNICATIONS, LLC,
Petitioner,

v.

ROVI GUIDES, INC.,
Patent Owner.

IPR2019-01431
Patent 8,272,019 B2

Before JAMESON LEE, WESLEY B. DERRICK, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

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

On November 13, 2020, the parties filed a Joint Motion to Terminate (Paper 37) and a Joint Request to Keep Settlement Confidential (Paper 38). Also on November 13, 2020, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), the parties filed what they represent as “a true copy of any agreement or understanding (Exhibits 2020 and 2021) between Petitioner and Patent Owner made in connection with, or in contemplation of, the termination of the proceeding under 37 CFR § 42.74(b).” Papers 37, 1.

Oral hearing in this case already was held on October 23, 2020. However, we have not yet issued a final written decision.

The parties indicate that termination of this proceeding in its entirety is appropriate because Petitioner and Patent Owner have settled their disputes. Paper 37, 2. The parties state that good cause exists to terminate this proceeding “because (1) Petitioner and Patent owner have resolved their disputes regarding the ’019 Patent; (2) this proceeding is still at an early stage because the office has not yet decided the merits of the proceeding; and (3) terminating the proceeding now would thus serve the interests of judicial economy as well as the mutual interest of the parties.” *Id.*

“An inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” 35 U.S.C. § 317(a). Under the circumstances here, we agree it also would be appropriate to terminate the proceeding with respect to Patent Owner without rendering a final written decision. *See* 37 C.F.R. § 42.72.

Because the parties have agreed to settle their disputes and have submitted settlement and license agreements, we agree with the parties that the settlement and license agreements, i.e., Exhibits 2020 and 2021, should be treated as business confidential information and kept separate from the file of the ’019 patent. 37 C.F.R. § 42.74(c).

Accordingly, it is

ORDERED that the Joint Motion to Terminate is *granted*;

FURTHER ORDERED that the parties' request that the settlement and licensing agreements, i.e., Exhibits 2020 and 2021, be treated as business confidential information under 37 C.F.R. § 42.74(c) is *granted*;

FURTHER ORDERED that Exhibits 2020 and 2021 shall be treated as business confidential information under 37 C.F.R. § 42.74(c) and be kept apart from the file of the '019 patent; and

FURTHER ORDERED that this proceeding is *terminated* in its entirety with respect to both Petitioner and Patent Owner.

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Patent 8,272,019 B2

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