

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY MOBILE COMMUNICATIONS (USA) INC.,
Petitioner,

v.

SUPER INTERCONNECT TECHNOLOGIES LLC,
Patent Owner.

IPR2019-01590 Patent 6,463,092 B1
IPR2019-01591 Patent 7,158,593 B2
IPR2019-01592 Patent 7,627,044 B2

Before THU A. DANG, BRYAN F. MOORE, and KAMRAN JIVANI,
Administrative Patent Judges.

MOORE, *Administrative Patent Judge.*

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

On March 16, 2020 the parties filed Joint Motions to Terminate (Paper 8, “Joint Motion”),¹ settlement agreement (Paper 15, “Agreement”),² and a Joint Request to Treat [the Agreement] as Confidential Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 (Paper 14, “Joint Request”).³

In the Joint Motion in each *inter partes* review, the parties state that they have agreed to terminate these *inter partes* reviews, pursuant to the Agreement. Joint Motion 1. The parties further state that they have agreed to terminate the related district court case between the parties, *Super Interconnect Technologies LLC v. Sony Corporation*, 1:18-cv-01731-CFC (D. Del.). Joint Motion 4.

These cases are in its preliminary stages and we have not yet decided whether to institute an *inter partes* review. Accordingly, we have not “decided the merits of the proceeding[s]” prior to the parties’ request for termination. 35 U.S.C. § 317(a). The foregoing factors weigh in favor of granting the Joint Motions. We discern no factors weighing against termination of the proceedings. Accordingly, we grant the Joint Motion in each *inter partes* review.

¹ For brevity, we refer to Paper and Exhibit numbers from IPR2019-01592.

² The Joint Motion cites the Agreement as Ex. 1030 but it is found in the record at Paper 15. We treat references to Ex. 1030 as if they were made to Paper 15. Similar filings were made in *inter partes* reviews IPR2019-01590 and IPR2019-01591. The parties are reminded that, in the future, briefs are to be filed as Papers and evidence is to be filed as Exhibits.

³ We treat this as a Joint Request to Keep Separate under 35 U.S.C. § 317 and 37 C.F.R. § 42.74.

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Similarly, we determine that, under the circumstances, it is appropriate to treat the Agreement as business confidential information kept separate from the file of each of the challenged patents. We, therefore, also grant the Joint Request in each *inter partes* review.

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

ORDER

For the foregoing reasons, it is

ORDERED that the Joint Motion to Terminate is GRANTED in each *inter partes* review, and these proceedings are hereby terminated; and

FURTHER ORDERED that the parties' Joint Request to Keep Separate is GRANTED in each *inter partes* review, and the Agreement shall be treated as business confidential information and kept separate from the files of the U.S. Patent Nos. 6,463,092 B1, 7,158,593 B2, and 7,627,044 B2.

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IPR2019-01592 Patent 7,627,044 B2

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