

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD,
Petitioner,

v.

STC.UNM,
Patent Owner.

IPR2020-00009
Patent 9,142,400 B1

Before JEAN R. HOMERE, CHRISTOPHER L. CRUMBLEY, and
DANIEL J. GALLIGAN, *Administrative Patent Judges*.

HOMERE, *Administrative Patent Judge*.

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

I. INTRODUCTION

With the Board's authorization, Petitioner and Patent Owner (collectively "the Parties") filed a Joint Motion to Terminate the above-identified proceeding. Paper 19 ("Joint Motion"). In support of the Joint Motion, the Parties filed a copy of a Confidential Settlement and License Agreement (Ex. 2115 ("Settlement Agreement")), as well as a Joint Request to Treat the Settlement Agreement as Business Confidential Information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 18 ("Joint Request")).

II. DISCUSSION

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceeding, and that the filed copy of the Settlement Agreement is a true copy. Joint Motion at 1. The Parties further represent that their Settlement Agreement resolves all currently pending Patent Office and District Court proceedings between the Parties involving the above-identified patent at issue. *Id.*

This proceeding is at an early stage, and we have not yet decided whether to institute a trial in the proceeding. In view of the early stage of the proceeding and the settlement between the Parties, we grant the Parties' request to terminate the proceeding.

The Parties also filed a Joint Request that the Settlement Agreement be treated as business confidential information and be kept separate from the file of the patent involved in this *inter partes* proceeding. Joint Request at 1. We determine that it is appropriate to treat the Settlement Agreement between the Parties as business confidential information pursuant to 37

C.F.R. § 42.74(c).

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

Accordingly, for the reasons discussed above, it is:

III. ORDER

ORDERED that the Joint Motion to Terminate is *granted*, and the proceeding is *terminated*;

FURTHER ORDERED that the Joint Request to Treat the Settlement Agreement as Business Confidential Information is *granted*, and the Settlement Agreement shall be kept separate from the files of Patent 9,142,400 B1 and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c).

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