

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG DISPLAY CO. LTD.,
Petitioner,

v.

SOLAS OLED LIMITED,
Patent Owner.

IPR2020-00177
Patent 7,432,891 B2

Before SALLY C. MEDLEY, JESSICA C. KAISER and
JULIA HEANEY, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

TERMINATION

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

DISCUSSION

Pursuant to Board authorization, the parties filed (1) a Joint Motion to Terminate Proceeding (Paper 29); (2) a true copy of the parties' settlement agreement (Ex. 1055); and (3) a joint motion to treat the settlement agreement as business confidential information, and to keep separate from the file of the involved patent, under 37 C.F.R. § 42.74(c) (Paper 30).

Oral argument has not been held, and a final written decision has not been entered. In the Joint Motion to Terminate Proceeding, the parties indicate that they have settled all their disputes at issue in this proceeding, and have agreed to terminate the proceeding. Paper 29, 1. The parties represent that Exhibit 1055 is “[a] true and correct copy of the Confidential Settlement Agreement” and that “there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.” *Id.* at 2. Under these particular circumstances, we determine that it is appropriate to terminate the proceeding without rendering a final written decision. *See* 35 U.S.C. § 317; 37 C.F.R. § 42.72. We also have reviewed the parties' settlement agreement, and we determine that good cause exists to treat this settlement agreement as business confidential information, and keep it separate from the file of U.S Patent No. 7,432,891 B2 (Ex. 1001, “the '891 Patent”), under 37 C.F.R. § 42.74(c).

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' request (Paper 30) to treat the true copy of their settlement agreement (Ex. 1055) as business confidential information, and to keep separate from the file of the involved patent, under 37 C.F.R. § 42.74(c) is *granted*;

FURTHER ORDERED that the settlement agreement (Ex. 1055) shall be treated as business confidential information, kept separate from the file of the '891 Patent, and made available only to Federal Government agencies on written request to the Board, or to any person on a showing of good cause, under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that the parties' Joint Motion to Terminate Proceeding (Paper 29) is *granted*, and the proceeding is terminated.

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Patent 7,432,891 B2

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