

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC,
Petitioner,

v.

ZYRCUITS IP LLC,
Patent Owner.

IPR2020-00362
Patent 6,671,307 B2

Before SALLY C. MEDLEY, BARBARA A. PARVIS, and
GREGG I. ANDERSON and, *Administrative Patent Judges*.

ANDERSON, *Administrative Patent Judge*.

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

On April 6, 2020, the parties filed a “Joint Motion to Terminate Inter Partes Review of U.S. Patent 6,671,307” pursuant to 35 U.S.C. § 317(a) (“Motion,” “Mot.,” Paper 5). The Petition in this proceeding challenges the patentability of U.S. Patent 6,671,307 (“307 patent”). The Motion requests termination based upon a settlement reflected in a “Confidential Agreement” (“Agreement,” Ex. 1044). Mot. 1.¹

The parties concurrently filed a “Joint Motion to Keep Confidential and Separate Under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c)” (“Confidentiality Motion,” “Conf. Mot.,” Paper 4). The parties represent that Exhibit 1044 is a true copy of the Agreement. Mot. 1. The parties request that Exhibit 1044 be treated as business confidential information and be kept separate from the file of the involved patent. Conf. Mot. 1. “A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application.” 37 C.F.R. § 42.74(c).

The parties jointly certify that there is no other agreement or understanding between them, including any collateral agreements, made in connection with, or in contemplation of termination of the instant proceeding as set forth in 35 U.S.C. § 317(b). Mot. 1. The parties represent that the Agreement fully resolves this matter. *Id.* at 1.

No decision concerning whether or not to institute a trial has been made. Accordingly, it is in the interests of the Board and the parties that this proceeding be terminated.

¹ Prior authorization required for the filing of a motion to terminate was obtained by email. See Mot. 1; 37 C.F.R. § 42.20(b).

ORDER

Accordingly, it is

ORDERED that the Motion (Paper 5) is granted;

FURTHER ORDERED that the Agreement (Exhibit 1044) be treated as business confidential information, be designated “Parties and Board Only,” and be kept separate from the files of the involved U.S. Patent 6,671,307; and

FURTHER ORDERED that the proceeding is terminated.

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PETITIONER:

Michelle Callaghan
Ashraf Fawzy
UNIFIED PATENTS INC.
michelle@unifiedpatents.com
afawzy@unifiedpatents.com

PATENT OWNER:

Andrew S. Curfman
Howard L. Wernow
SAND, SEBOLT & WERNOW CO., LPA
andrew.curfman@sswip.com
howard.wernow@sswip.com