

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD, and
SAMSUNG ELECTRONICS AMERICA, INC.,

Petitioner,

v.

NORDIC INTERACTIVE TECHNOLOGIES, LLC,
Patent Owner.

IPR2020-01605
Patent 7,590,097 B2

Before THOMAS L. GIANNETTI, GREGG I. ANDERSON, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

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

I. BACKGROUND

On September 10, 2020, Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner” or “Samsung”) filed a Petition (Paper 2) requesting *inter partes* review of claims 1–16, 19–34, 37–42, 45–50, and 53 of U.S. Patent No. 7,590,097 B2 (Ex. 1001, “the ’097 patent”). Patent Owner, Nordic Interactive Technologies, LLC, filed a Preliminary Response. Paper 7.

II. DISCUSSION

On April 19, 2021, with Board authorization, Petitioner and Patent Owner filed a “Joint Motion to Terminate Proceedings” (Paper 13, “Joint Motion to Terminate”) and a “Joint Motion to File Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317” (Paper 14). The parties represent that they have resolved their disputes and reached settlement regarding the challenged patent as evidenced by a written settlement agreement, which they have filed as required under 37 C.F.R. § 42.74(b). Paper 13, 2; Ex. 1045. The parties represent that dismissal of the district court action involving the ’097 patent is pending and there are no other pending district court actions in which the ’097 patent is asserted. Paper 13, 2. The parties also represent there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of this proceeding. *Id.* at 3.

This case is in its preliminary stage. The Board has not issued a decision on institution. At this early stage, we determine that termination is warranted for the reasons stated in the Joint Motion to Terminate.

We further determine that the Settlement Agreement (Ex. 1045) filed by the parties constitutes business confidential information. Therefore, we

find there is good cause to grant the parties' Joint Motion to File Agreement as Business Confidential (Paper 14).

III. ORDER

In consideration of the foregoing, it is hereby

ORDERED that the parties' Joint Motion to Terminate is *granted* and this case is *terminated*; and

FURTHER ORDERED that the parties' Joint Motion to File Settlement Agreement as Business Confidential Information is *granted*, and Exhibit 1045 shall be sealed and kept separate from the files of the '097 patent, consistent with 37 C.F.R. § 42.74(b).

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