

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,  
Petitioner,

v.

MONARCH NETWORKING SOLUTIONS LLC,  
Patent Owner.

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IPR2020-01679  
Patent 8,451,845 B2

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Before THU A. DANG, THOMAS L. GIANNETTI, and  
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

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

## I. INTRODUCTION

The parties filed a Joint Motion to Terminate. Paper 6 (“Motion” or “Mot.”). The parties also filed what they indicate is a true and correct copy of a Confidential Agreement. Ex. 1074 (“Agreement”). In a Joint Request, the parties identified the Agreement as business confidential information and requested that the Agreement be kept separate from the patent file. Paper 7 (“Joint Request”). For the reasons discussed below, the Motion and Joint Request are *granted*.

## II. ANALYSIS

This proceeding is in the preliminary stage, and no decision whether to institute a trial has been made. The parties indicate that the Agreement resolves all disputes between the parties regarding U.S. Patent No. 8,451,845 B2. Mot. 1. The parties filed the Agreement and represent that “there are no other collateral agreements or understandings, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding.” *Id.* at 2. Under these circumstances, we determine that it is appropriate to dismiss the Petition (Paper 2) and terminate this proceeding. *See* 37 C.F.R. §§ 42.71(a), 42.74(a). We also determine that it is appropriate to treat the Agreement as business confidential information to be kept separate from the patent file. *See* 37 C.F.R. § 42.74(c).

## III. ORDER

It is hereby

ORDERED that the Joint Motion to Terminate is *granted*;

FURTHER ORDERED that the Petition is *dismissed* and this proceeding is *terminated* as to all parties; and

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FURTHER ORDERED that the Joint Request to treat the Confidential Agreement (Ex. 1074) as business confidential information to be kept separate from the patent file is *granted*.

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FOR PETITIONER:

Theodore M. Foster  
David L. McCombs  
Jonathan R. Bowser  
HAYNES AND BOONE, LLP  
ipr.theo.foster@haynesboone.com  
david.mccombs.ipr@haynesboone.com  
jon.bowser.ipr@haynesboone.com

FOR PATENT OWNER:

Michael F. Heim  
R. Allan Bullwinkel  
HEIM, PAYNE & CHORUSH, LLP  
mheim@hpcllp.com  
abullwinkel@hpcllp.com