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Paper No. 19
Entered: April 27, 2021

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO (UNITED STATES) INC.,
Petitioner,

v.

NOKIA TECHNOLOGIES OY,
Patent Owner.

IPR2020-01685, IPR2021-00035, IPR2021-00036 (Patent 6,950,469 B2);
IPR2021-00037, IPR2021-00038, IPR2021-00039 (Patent 7,280,599 B2);
IPR2021-00040, IPR2021-00041, IPR2021-00042,
IPR2021-00043 (Patent 8,036,273 B2)[1]

Before BARBARA A. PARVIS, JENNIFER MEYER CHAGNON, and MONICA S. ULLAGADDI, *Administrative Patent Judges.*

CHAGNON, *Administrative Patent Judge*.

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

[1] This Order applies to each of the listed proceedings. The parties are not authorized to use this style heading for any subsequent papers.

I. INTRODUCTION

With the Board's authorization, Petitioner and Patent Owner (collectively, "the Parties") filed a Joint Motion to terminate each of the above-identified proceedings. Paper 18[2] ("Mot."). Along with each Joint Motion, the Parties filed a copy of a confidential Settlement Agreement (Ex. 1020) and Patent Agreement Terms (Ex. 1021 ("Term Sheet")), 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 20 ("Joint Request")).

II. DISUCSSION

In the Joint Motion, the Parties represent that they "have executed a settlement agreement that resolves all of their disputes concerning U.S. Patent Nos. 6,950,469, 7,280,599, and 8,036,273." Mot. 3. The Parties further represent that "a true and correct copy of the Litigation Settlement Agreement has been filed." *Id.* at 4; Ex. 1020. The Settlement Agreement references a Term Sheet, which also has been filed. Mot. 4; Ex. 1021. The Parties note that the Settlement Agreement "references another potential agreement, but the parties have not entered into that agreement as of this filing, and there are no other agreements between the parties." Mot. 4. The Parties, thus, confirm "that the documents filed as Exhibits 1020 [(i.e., the Settlement Agreement)] and 1021 [(i.e., the Term Sheet)] represent all

[2] For purposes of expediency, we cite to Papers and Exhibits filed in IPR2020-01685. Corresponding Papers and Exhibits were filed in each of the captioned proceedings, as shown in the Appendix.

agreements made in connection with, or in contemplation of, the termination of this proceeding. All such agreements have been filed with the Board as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b)." *Id.*

This proceeding is still in its preliminary stages. We have not entered a decision on whether to institute *inter partes* review in these proceedings. In view of the early stage of these proceedings and the settlement between the parties, we determine that good cause exists to terminate these proceedings with respect to the parties.

We also have reviewed the Settlement Agreement and Term Sheet, and we determine that the Settlement Agreement and Term Sheet contain business confidential information regarding the terms of the settlement, and that good cause exists to treat the Settlement Agreement and Term Sheet as business confidential information under 37 C.F.R. § 42.74(c).

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

According, it is

ORDERED that the parties' Joint Request to treat the Settlement Agreement and Term Sheet as business confidential information under 37 C.F.R. § 42.74(c) is *granted* in each of the captioned proceedings, and the Settlement Agreement and Term Sheet shall be kept separate from the files of respective U.S. Patent Nos. 6,950,469 B2, 7,280,599B2, and 8,036,273 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that the parties' Joint Motion to Terminate is *granted* in each of the captioned proceedings; the Petition in each of IPR2020-01685, IPR2021-00035, IPR2021-00036, IPR2021-00037, IPR2021-00038, IPR2021-00039, IPR2021-00040, IPR2021-00041, IPR2021-00042, and IPR2021-00043 is dismissed; and the captioned proceedings are *terminated*.

APPENDIX

Proceeding	Joint Motion	Joint Request	Settlement Agreement	Term Sheet
IPR2020-01685	Paper 18	Paper 20	Ex. 1020	Ex. 1021
IPR2021-00035	Paper 16	Paper 17	Ex. 1120	Ex. 1121
IPR2021-00036	Paper 15	Paper 17	Ex. 1220	Ex. 1221
IPR2021-00037	Paper 15	Paper 16	Ex. 1018	Ex. 1019
IPR2021-00038	Paper 15	Paper 16	Ex. 1119	Ex. 1120
IPR2021-00039	Paper 15	Paper 16	Ex. 1218	Ex. 1219
IPR2021-00040	Paper 15	Paper 16	Ex. 1018	Ex. 1019
IPR2021-00041	Paper 15	Paper 16	Ex. 1118	Ex. 1119
IPR2021-00042	Paper 17	Paper 18	Ex. 1218	Ex. 1219
IPR2021-00043	Paper 15	Paper 16	Ex. 1319	Ex. 1320

IPR2020-01685, IPR2021-00035, IPR2021-00036 (Patent 6,950,469 B2);
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IPR2021-00040, IPR2021-00041, IPR2021-00042,
IPR2021-00043 (Patent 8,036,273 B2)

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