

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHENZHEN AOTO ELECTRONICS CO., LTD.,
Petitioner,

v.

ULTRAVISION TECHNOLOGIES, LLC,
Patent Owner.

IPR2021-00190
Patent 9,047,791 B2

Before DENISE M. POTHIER, SCOTT A. DANIELS, and
ROBERT L. KINDER, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

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

On September 27, 2021, with Board authorization, Petitioner and Patent Owner (collectively “the Parties”) filed a Joint Motion to Terminate Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 the above-captioned proceeding. Paper 11 (“Joint Motion”). Along with the Joint Motion, the Parties filed a copy of a Joint Stipulation of Non-Infringement (Ex. 1024, “Joint Stipulation”) that has been filed in the District Court proceeding. *See* 37 C.F.R. § 42.74(b) (any agreement between the parties made in connection with the termination of a proceeding shall be in writing and filed with the Board).

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceeding, and that the filed copy of the Joint Stipulation is a true and accurate copy of their agreement. Joint Motion 1. The Parties further represent that “there are no other agreements or understandings, oral or written, between Patent Owner and Petitioner, including any collateral agreements, in connection with or in contemplation of the termination of the present proceeding” and that in this proceeding “the parties have resolved their dispute with respect to the ’791 patent, and have agreed to terminate this IPR proceeding.” *Id.* at 2.

This proceeding is at an early stage. No Patent Owner Response has been filed and we have not rendered a final decision on the merits. The parties have identified the co-pending litigation in which they have stipulated to non-infringement of the ’791 patent stating that “the Accused Products have not infringed and currently do not infringe the Asserted Claims of the ’791 patent.” Ex. 1024 ¶ 10. In view of the early stage of the proceeding and the Joint Stipulation between the Parties, we determine that good cause exists to dismiss the petition and terminate the proceeding with

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

For the foregoing reasons, it is:

ORDERED that the Joint Motion is *granted* and this proceeding is terminated with respect to Petitioner and Patent Owner.

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