

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KEYME, LLC,
Petitioner,

v.

THE HILLMAN GROUP, INC.,
Patent Owner.

IPR2021-00369
Patent 10,577,830 B2

Before PATRICK R. SCANLON, BRIAN J. McNAMARA
KIMBERLY MCGRAW, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

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

The parties have requested that this proceeding be terminated pursuant to a settlement. On June 15, 2021, in an e-mail responsive to the parties' request, the Board authorized the parties to file a Joint Motion To Terminate and a Joint Request that the Settlement Agreement Be Treated As Business Confidential Information under 37 C.F.R. 42.74(c). On June 16, 2021 the parties filed a Joint Motion to Terminate the Proceeding (Paper No. 7) and a Joint Motion to Keep Confidential and Separate (Paper No. 8). *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. The parties also filed a copy of a written settlement agreement. Ex. 1024.

A decision by the Board to institute a trial has not yet been entered. The parties have not identified any other related matters and have certified that there are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of the proceeding. *See* Paper 7, 2. Under these circumstances, the Board determines that it is appropriate to terminate the proceeding without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated;

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information which shall be kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

IPR2021-00369
Patent 10,577,830 B2

PETITIONER: (via electronic transmission)
James M. Glass
Sean Gloth
QUINN EMANUEL URQUHART & SULLIVAN, LLP
jimglass@quinnemanuel.com
seangloth@quinnemanuel.com

PATENT OWNER: (via electronic transmission)
Joshua L. Goldberg
Christopher P. Isaac
Ryan P. O'Quinn
Finnegan, Henderson, Farabow, Garrett, & Dunner LLP
joshua.goldberg@finnegan.com
chris.isaac@finnegan.com
oquinnr@finnegan.com