

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AXIS COMMUNICATIONS AB,
Petitioner,

v.

COMPRESSION VECTORS LLC,
Patent Owner.

IPR2021-01143
Patent 6,731,813 B1

Before DEBRA K. STEPHENS, DAVID C. McKONE,
and NATHAN A. ENGELS, *Administrative Patent Judges*.

McKONE, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
35 U.S.C. § 314; 37 C.F.R. § 42.71(a)

With authorization from the Board, the parties jointly move to terminate the instant proceeding. Paper 7, 1 (“Mot.”). The parties state that termination is appropriate because the parties have resolved their disputes as to U.S. Patent No. 6,731,813 B1 (“the ’813 patent”) and have agreed to terminate the proceeding. *Id.* at 4. The parties further state that Compression Vectors, LLC (“Patent Owner”) has executed a settlement agreement with third party RPX Corp. and a Release Agreement (Ex. 1012) with Canon Inc., the majority shareholder of Axis Communications AB (“Petitioner”). *Id.* at 2. The parties argue that public policy favors termination, and that termination promotes the Congressional goal of establishing a more efficient patent system by limiting unnecessary costs. *Id.* at 3 (citing Changes to Implement Inter Partes Review Proceedings, Post-Grant Review Proceedings, and Transitional Program for Covered Business Method Patents, 77 Fed. Reg. 48,680 (Aug. 14, 2012)).

The parties submit the Release Agreement (Ex. 1012) and represent that it is a true and accurate copy of the written agreement between the parties that resolves their dispute. Mot. 1. The parties “further certify that the RPX Agreement referenced above is not a settlement agreement or understanding entered into between Petitioner Axis and Patent Owner Compression Vectors as signatories nor is it a collateral agreement that is referenced in the Release Agreement submitted with this joint motion.” *Id.* at 1–2. As to the Release Agreement, the parties filed a Joint Motion to Keep Confidential and Separate under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), arguing that Exhibit 1012 should be considered business confidential information and should be kept separate from the *inter partes* review file of the ’813 patent. Paper 8.

This proceeding is at a preliminary stage, Patent Owner did not file a preliminary response, and we have not considered the merits of the petition. Dismissing the Petition pursuant to the parties' joint request will lead to a "just, speedy, and inexpensive resolution" in this proceeding. 37 C.F.R. § 42.1(b). Under these circumstances, we determine that it is proper to dismiss the Petition and to terminate the proceeding. See 37 C.F.R. § 42.5(a); 37 C.F.R. § 42.71(a). This Decision does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

With respect to the Joint Motion to Keep Confidential and Separate (Paper 8), we have reviewed the Release Agreement (Exhibit 1012), and find that it contains confidential business information regarding the terms of the parties' agreement. We determine that good cause exists to treat the Release Agreement as business confidential information pursuant to 37 C.F.R. § 42.74(c).

ORDER

Accordingly, it is

ORDERED that the Joint Motion to Terminate (Paper 7) is granted;

FURTHER ORDERED that the parties' Joint Motion to Keep Confidential and Separate (Paper 8) is granted and the Release Agreement (Ex. 1012) shall be kept separate from the patent files, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that this proceeding is terminated.

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