

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

5G IP HOLDINGS LLC,
Patent Owner.

IPR2022-00553 (Patent 10,868,649 B2)
IPR2022-00559 (Patent 10,624,150 B2)
IPR2022-00563 (Patent 10,813,163 B2)¹

Before PHILLIP J. KAUFFMAN, SCOTT A. DANIELS, and
MICHAEL T. CYGAN, *Administrative Patent Judges*.

CYGAN, *Administrative Patent Judge*.

DECISION

*Granting Joint Motion to Terminate Proceedings Due to
Settlement before Institution and
Granting Joint Request to Treat Settlement Agreement as
Business Confidential Information
37 C.F.R. § 42.74*

¹ This Order applies to each proceeding. We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

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I. INTRODUCTION

Petitioner and Patent Owner (collectively, “the Parties”) have jointly requested that the above-identified *inter partes* review proceedings be terminated pursuant to a settlement agreement. On September 16, 2022, after receiving authorization from the Board, the Parties filed a Joint Motion to Terminate Inter Partes Review in each of the above-identified proceedings (“Joint Motion”). Paper 9.² The Parties also filed copies of a settlement agreement (Ex. 1021, “Settlement Agreement”) and filed a Joint Request to File Settlement and License Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(a) (Paper 10, “Joint Request”) in each of the above-identified proceedings.

II. DISCUSSION

In the Joint Motion, the Parties request that the above-identified *inter partes* reviews be terminated in view of a settlement and license agreement between the parties. Joint Motion 1. The Parties represent that there are no collateral agreements or understandings made in connection with the termination of the above-identified *inter partes* proceedings. *Id.* at 2.

We have not yet instituted a trial on any of the above-identified proceedings. Nor have we decided the merits of the proceedings, and final written decisions have not been entered in the proceedings. The Parties have shown adequately that termination of the proceedings is appropriate. Under

² For expediency, we cite to the Papers and Exhibits filed in IPR2022-00553, unless otherwise indicated. Similar Papers and Exhibits were filed in IPR2022-00559 and IPR2022-00563.

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these circumstances, we determine that good cause exists to terminate the above-identified proceedings with respect to the Parties.

The Parties also request that the settlement and license agreement be kept separate from the files of each of the above-identified Patents. *Id.* at 2. After reviewing the Settlement Agreement, we find that the Settlement Agreement contains confidential business information regarding the settlement terms. We determine that good cause exists to treat the Settlement Agreement between the Parties as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a) in any of the above-identified proceedings.

III. ORDER

Accordingly, it is

ORDERED that the Joint Motions are granted, and IPR2022-00553, IPR2022-00559, and IPR2022-00563 are terminated with respect to Petitioner and Patent Owner; and

FURTHER ORDERED that the Joint Request is granted, and the Settlement Agreement shall be kept separate from the files of U.S. Patent Numbers 10,868,649, 10,624,150, and 10,813,163, 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).

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PETITIONER:

Brian Mack
Deepa Acharya
Patrick Stafford
QUINN EMANUEL URQUHART & SULLIVAN LLP
brianmack@quinnemanuel.com
deepaacharya@quinnemanuel.com
patrickstafford@quinnemanuel.com

PATENT OWNER:

Joseph F. Edell
Andrew L. Ramos
FISCH SIGLER LLP
joe.edell.ipr@fischllp.com
andrew.ramos@fischllp.com