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Paper 23
Date: December 8, 2022

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOKIA OF AMERICA CORPORATION
Petitioner,

v.

TQ DELTA, LLC,
Patent Owner.

IPR2022-00664 (Patent 7,844,882 B2)
IPR2022-00665 (Patent 7,836,381 B1)
IPR2022-00666 (Patent 8,276,048 B2)
IPR2022-00678 (Patent 8,495,473 B2)[1]

Before LYNNE E. PETTIGREW, ROBERT J. WEINSCHENK, and KEVIN C. TROCK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

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

[1] This Decision pertains to all of these cases. Therefore, we exercise our discretion to issue a single Decision to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

I. INTRODUCTION

The parties filed a Joint Motion to Terminate Proceeding. Paper 22 ("Motion" or "Mot.").[2] The parties also filed what they indicate are true copies of a Patent License Agreement and a collateral agreement. Ex. 1044; Ex. 1045 (collectively, "Agreements").[3] In a Joint Request, the parties identified the Agreements as business confidential information and requested that the Agreements be kept separate from the patent file. Paper 23 ("Joint Request").[4] For the reasons discussed below, the Motion and Joint Request are *granted*.

II. ANALYSIS

We have not decided the merits of these proceedings. The parties indicate that they have settled their disputes regarding the challenged patents. Mot. 6. The parties state that the Agreements "represent all agreements required to be filed with the Board pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b); there are no other collateral agreements in connection with the settlement." Mot. 7. "There are strong public policy reasons to favor settlement between the parties to a proceeding," and, thus, "[t]he Board expects that a proceeding will terminate after the filing of a

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[2] We cite to the record in IPR2022-00664, unless otherwise noted. The parties filed similar motions in IPR2022-00665 (Paper 21), IPR2022-00666 (Paper 21), and IPR2022-00678 (Paper 17).

[3] The parties also filed the Agreements in IPR2022-00665 (Ex. 1042; Ex. 1043), IPR2022-00666 (Ex. 1047; Ex. 1048), and IPR2022-00678 (Ex. 1047; Ex. 1048).

[4] The parties filed similar requests in IPR2022-00665 (Paper 22), IPR2022-00666 (Paper 22), and IPR2022-00678 (Paper 18).

settlement agreement, unless the Board has already decided the merits of the proceeding." Consolidated Trial Practice Guide, 86 (Nov. 2019), *available at* https://www.uspto.gov/sites/default/files/documents/tpgnov.pdf ("TPG").

Under these circumstances, we determine that it is appropriate to terminate these proceedings. *See* 37 C.F.R. § 42.72. We also determine that it is appropriate to treat the Agreements as business confidential information to be kept separate from the patent file. *See* 37 C.F.R. § 42.74(c).

III. ORDER

It is hereby

ORDERED that the Joint Motion to Terminate is *granted*;

FURTHER ORDERED that these proceedings are *terminated* as to all parties;

FURTHER ORDERED that the Joint Request to treat the Agreements as business confidential information to be kept separate from the patent file is *granted*; and

FURTHER ORDERED that Patent Owner's Requests for Rehearing in IPR2022-00664 (Paper 13), IPR2022-00665 (Paper 12), and IPR2022-00666 (Paper 13) are *dismissed* as moot.

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IPR2022-00678 (Patent 8,495,473 B2)

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