

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

VILLAGE GREEN TECHNOLOGIES, LLC,
Patent Owner.

IPR2022-00957
Patent 10,620,663 B2

Before MICHELLE N. WORMMEESTER, JON M. JURGOVAN, and
KEVIN C. TROCK, *Administrative Patent Judges*.

WORMMEESTER, *Administrative Patent Judge*.

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

I. INTRODUCTION

On May 26, 2023, the parties filed a joint motion to terminate the above-identified proceeding pursuant to a settlement agreement. Paper 17 (Joint Motion to Terminate Proceeding and Notice of Settlement). The parties also filed a copy of their settlement agreement made in connection with the termination of the instant proceeding. Ex. 1031. In a concurrently filed paper, the parties jointly requested the settlement agreement to be treated as business confidential and to be kept separate from the file of the involved patent under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 18 (Joint Request that Settlement Agreement Be Treated As Business Confidential Information and Kept Separate). We authorized the filing of these papers in an e-mail dated May 18, 2023.

II. DISCUSSION

The instant proceeding is in an early stage. We instituted trial on November 28, 2022. Paper 10. The parties represent that Exhibit 1031 is a “true copy” of their settlement agreement, and that their settlement agreement “resolves all underlying disputes between the parties, including . . . IPR2022-00957 against U.S. Patent No. 10,620,663.” Paper 17, 1; Paper 18, 2. The parties further represent that “[t]here are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of th[is] proceeding[.]” Paper 17, 1. In view of the foregoing, we determine that it is appropriate to dismiss the Petition and terminate the proceeding without rendering a final written decision.

Further, after reviewing the parties’ settlement agreement, we find that the settlement agreement contains confidential business information

regarding the terms of settlement. We determine that good cause exists to treat the settlement agreement as business confidential information and to keep it separate from the file of the patent in the above-identified proceeding 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 under 35 U.S.C. § 318(a).

III. ORDER

Accordingly, it is:

ORDERED that the Joint Motion to Terminate Proceeding and Notice of Settlement (Paper 17) is *granted*, and the instant proceeding is *terminated*; and

FURTHER ORDERED that the Joint Request that Settlement Agreement Be Treated As Business Confidential Information and Kept Separate (Paper 18) is *granted*, and that the settlement agreement (Exhibit 1031) shall be treated as business confidential information, kept separate from the file of the above-identified patent, 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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