

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SPLUNK INC.,
Petitioner,

v.

PACSEC3, LLC,
Patent Owner.

Case IPR2022-01230
Patent 7,523,497 B2

Before BENJAMIN D. M. WOOD, DANIEL J. GALLIGAN, and
IFTIKHAR AHMED, *Administrative Patent Judges*.

WOOD, *Administrative Patent Judge*.

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

With the Board’s authorization, the parties filed a Joint Motion to Terminate Proceeding. Paper 6 (“Joint Mot.”). The parties also filed a copy of a Settlement Agreement (Ex. 1037).¹

In the Joint Motion, the parties represent that they “have reached a settlement as to all the disputes in this proceeding” and therefore seek to have the proceeding terminated. Joint Mot. 2. The parties also represent that they have filed “a true and correct copy” of the Settlement Agreement, and that “[n]o other such agreements, written or oral, exist between or among the Parties relating to this proceeding.” *Id.* at 2, 3–4.

This proceeding is at an early stage, as we have not yet determined whether to institute a trial. Under these circumstances, and in light of the settlement between the parties, we determine that it is appropriate to dismiss the Petition and terminate this case without rendering a decision on institution.

Accordingly, it is

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

FURTHER ORDERED that the Petition is *dismissed*; and

FURTHER ORDERED that this proceeding is *terminated*.

¹ The parties did not file a request to treat the Settlement Agreement as business confidential information or to keep it separate from the files of the involved patent.

IPR2022-01230
Patent 7,523,497 B2

PETITIONER:

Alex S. Yap
Mehran Arjomand
Rose S. Lee
Bryan Blumenkopf
MORRISON & FOERSTER LLP
ayap@mofo.com
marjomand@mofo.com
roselee@mofo.com
bblumen@mofo.com

PATENT OWNER:

William P. Ramsey, III
Jacob B. Henry
RAMEY LLP
wramey@rameyfirm.com
jhenry@rameyfirm.com