

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,
V.
MOTION OFFENSE, LLC,
Patent Owner.

IPR2022-01311 (PATENT 10,303,353 B1)
IPR2022-01312 (PATENT 10,613,737 B1)
IPR2022-01313 (PATENT 11,044,215 B1)

BEFORE JEFFREY S. SMITH, JENNIFER S. BISK, And
NORMAN H. BEAMER, *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

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

IPR2022-01311 (Patent 10,303,353 B1)
IPR2022-01312 (Patent 10,613,737 B1)
IPR2022-01313 (Patent 11,044,215 B1)

With the Board's authorization, Petitioner and Patent Owner filed, in each of the captioned proceedings, a Joint Motion to Terminate. Paper 46. The parties also filed their confidential agreement (Ex. 2133) and a Joint Request to Treat Settlement Agreement as Business Confidential Information (Paper 47).

The parties represent that they have settled their dispute in these proceedings and in the related district court litigation, and they filed true copies of their agreement in its entirety. Paper 46, 1. The parties also represent that there are no other agreements between them made in connection with or in contemplation of the termination of these proceedings. *Id.* at 2. According to the parties, the agreements that they filed contain confidential information. Paper 47, 1.

The parties assert that these proceedings should be terminated because (1) the Board has not decided the merits, (2) the parties have settled their dispute, and (3) the parties jointly request termination. Paper 47, 1. We agree that termination is appropriate for all those reasons. *See Consolidated Trial Practice Guide*, 86 (Nov. 2019) ("The Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.").¹

We also agree that the agreements (Exs. 2133) filed in each proceeding contain confidential information under the Board's rules and should be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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This Order does not constitute a final written decision under 35 U.S.C. § 318(a).

ORDER

It is

ORDERED that the parties' Joint Motions to Terminate the Proceedings (Paper) are *granted*;

FURTHER ORDERED that the parties' Joint Motions to File the Agreement as Business Confidential Information (Paper 47) are *granted* and the parties' confidential agreements (Exs. 2133) shall be treated as business confidential information and be kept separate from the files of the respective challenged patents, U.S. Patent 10,303,353 B1, U.S. Patent 10,613,737 B1, and U.S. Patent 11,044,215 B1, and made available only under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that these proceedings are terminated.

IPR2022-01311 (Patent 10,303,353 B1)
IPR2022-01312 (Patent 10,613,737 B1)
IPR2022-01313 (Patent 11,044,215 B1)

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