

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTERNATIONAL BUSINESS MACHINES CORP.,
Petitioner,

v.

ISIX IP LLC,
Patent Owner.

IPR2022-01488
Patent 6,308,178 B1

Before THU A. DANG, DANIEL J. GALLIGAN, and
SHEILA F. McSHANE, *Administrative Patent Judges*

McSHANE, *Administrative Patent Judge.*

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

International Business Machines Corporation (“Petitioner”) and Isix IP LLC (“Patent Owner”) (collectively, the “Parties”) jointly request that the this *inter partes* review proceeding be terminated pursuant to the Parties’ agreement. On April 12, 2023 with our authorization, Petitioner filed a Joint Motion to Terminate (Paper 9), a Joint Request to Treat Settlement Agreement as Business Confidential Information (Paper 10), and a copy of a Patent License Agreement and Settlement Agreement (Ex. 1024).

In the Joint Motion to Terminate, the Parties jointly move to terminate the proceeding and represent that a “true and correct copy” of the Parties’ resolution to terminate the proceeding has been filed as an exhibit. Paper 9, 2 (citing Exhibit 1024). In addition, the Parties state that there are “no collateral agreements or understandings in connection with, or in contemplation of, the termination of the *inter partes* review.” *Id.*

This proceeding is at an early stage, and no decision on institution has issued. In view of the early stage of the proceeding and the Parties’ representations, we determine that good cause exists to end this proceeding.

With respect to the Joint Request to Treat Settlement Agreement as Business Confidential Information (Paper 10), we have reviewed the Patent License Agreement and Settlement Agreement (Ex. 1024) and find it contains confidential business information regarding the terms of the Parties’ agreement. We determine that good cause exists to treat this document as business confidential information pursuant to 37 C.F.R. § 42.74(c).

ORDER

Accordingly, it is:

ORDERED that the Joint Motion to Terminate (Paper 9) is *granted*;

FURTHER ORDERED that the Joint Request to Treat Settlement Agreement as Business Confidential Information (Paper 10) is *granted*;

FURTHER ORDERED that the Patent License Agreement and Settlement Agreement (Ex. 1024) shall be kept separate and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that this proceeding is *terminated*.

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PETITIONER:

Andrew S. Ehmke
David McCombs
Dina Blikshteyn
Eugene Goryunov
HAYNES AND BOONE, LLP
andy.ehmke.ipr@haynesboone.com
david.mccombs.ipr@haynesboone.com
dina.blikshteyn.ipr@haynesboone.com
eugene.goryunov.ipr@haynesboone.com

PATENT OWNER:

Cabrach J. Connor
John M. Shumaker
CONNOR LEE & SHUMAKER PLLC
cab@CLandS.com
john@CLandS.com