

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN HONDA MOTOR CO., INC.,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

IPR2023-00021
Patent 7,382,771 B2

Before SCOTT A. DANIELS, FREDERICK C. LANEY, and
MATTHEW S. MEYERS, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

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

With our authorization, the parties filed a Joint Motion to Terminate Proceeding. Paper 6. The parties assert that they “have resolved their dispute and jointly request termination of IPR2023-00021 under 35 U.S.C. § 317(a).” *Id.* at 1. The parties represent that, as a result of the parties’ resolution of their dispute, they also are filing a motion to dismiss the co-pending lawsuit related to U.S. Patent No. 7,382,771 B2 (“the ’771 Patent”), which is the patent at issue in this proceeding. *Id.* at 3. The parties also represent that “[a] true copy of the document resolving the disputes related to the ’771 Patent is filed concurrently herewith,” which was filed as Exhibit 2001. *Id.* at 4. We have reviewed that “Resolution Document,” which indicates that it is the entire agreement between the parties.

In a separate paper, the parties also jointly request that the Board “treat the [Resolution Document] resolving the proceeding . . . as business confidential information” and “that the confidential Resolution Document be kept separate from the file of the subject patent in the captioned proceeding and be made available only to Federal Government agencies on written request or to persons showing good cause.” Paper 7, 1.

The Board has not yet entered a decision on institution of a trial, and we determine that good cause exists to dismiss the Petition (Paper 2) and to terminate the preliminary proceeding. *See* 37 C.F.R. § 42.74. After reviewing the parties’ Resolution Document, we find that the agreement contains confidential business information regarding the terms of settlement, and we determine that good cause exists to treat the Resolution Document as business confidential information.

It is

ORDERED that the Joint Motion to Terminate Proceeding is *granted*;
FURTHER ORDERED that the Petition (Paper 2) is *dismissed* and the preliminary proceeding is *terminated*; and

FURTHER ORDERED that the filed confidential Resolution Document (Ex. 2001) be treated as business confidential information pursuant to 37 C.F.R. § 42.74(c) and also remain designated as available only to “Parties and Board” in the Board’s E2E system.

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