

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

PARUS HOLDINGS INC.,
Patent Owner.

IPR2023-00163
Patent 7,386,455 B2

Before DAVID C. McKONE, PATRICK M. BOUCHER, and
STACEY G. WHITE, *Administrative Patent Judges*.

McKONE, *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 this proceeding. Paper 6. The parties assert that they have “entered into a written, confidential binding release fully resolving this matter, including

both this proceeding and Patent Owner's assertion of the '455 patent in the related district court litigation." *Id.* at 2. The parties represent that Exhibits 1028 and 1029, which we have reviewed, "are true and accurate copies of the confidential release between the parties resolving the present proceeding." *Id.* The parties further represent that "there are no other collateral agreements or understandings, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding." *Id.* In a separate paper, the parties also jointly request that the Board treat Exhibits 1028 and 1029 as business confidential information and keep those exhibits separate from the file of the involved patent. Paper 7, 2.

The Board has not yet decided whether to institute a trial, and we determine that good cause exists to dismiss the Petition (Paper 1) and to terminate the preliminary proceeding. *See* 37 C.F.R. § 42.74. After reviewing the parties' settlement agreement, we find that the settlement agreement contains confidential business information regarding the terms of settlement, and we determine that good cause exists to treat the settlement agreement as business confidential information. *See id.*

It is

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

FURTHER ORDERED that the Petition (Paper 1) is *dismissed* and the preliminary proceeding is *terminated*; and

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FURTHER ORDERED that Exhibits 1028 and 1029 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 P-TACTS system.

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