

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

RAFQA STAR, LLC,
Patent Owner.

IPR2023-00812 (Patent 11,145,215 B1)

Before TERRENCE W. McMILLIN, JON M. JURGOVAN, and
JOHN R. KENNY, *Administrative Patent Judges*.

JURGOVAN, *Administrative Patent Judge*.

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

I. DISCUSSION

On December 7, 2023, with our authorization, Google, LLC (“Petitioner”) and Rafqa Star, LLC (“Patent Owner”) jointly filed: (1) a Motion to Terminate *Inter Partes* Review (“IPR”) Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.72 (Paper 7, “Mot.”); (2) a true copy of the parties’ Settlement Agreement (Exhibit 1020); and (3) a Joint Request to Treat Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) (Paper 8). For the following reasons, we *grant* the parties’ Joint Motion to Terminate IPR Proceeding and their Joint Request to Treat Settlement Agreement as Business Confidential Information.

This IPR Proceeding is still in its preliminary stage. On June 20, 2023, Petitioner filed a Petition (Paper 1) requesting *inter partes* review of claims 1–22 of U.S. Patent No. 11,145,215 B1 (“the ’215 patent”). Patent Owner has not filed a preliminary response, and we have not entered an institution decision.

In the Joint Motion to Terminate IPR Proceeding, the parties indicate that they have entered into the Settlement Agreement, which completely resolves all pending controversies between the parties concerning the ’215 patent, and pursuant to which they agreed to seek termination of this IPR Proceeding. Mot. 1–2. The parties represent that a true copy of the Settlement Agreement has been submitted into the record as Exhibit 1020. *Id.* at 2. The parties certify that “there are no other agreements or understanding, oral or written, between the Parties made in connection with, or in contemplation of, the termination of this proceeding.” *Id.* at 2.

Under these particular circumstances, we determine that it is appropriate to dismiss the Petition without rendering any further decisions, thereby terminating this proceeding. *See* 37 C.F.R. § 42.71(a). We also

have reviewed the true copy of the parties' Settlement Agreement, and we determine that good cause exists to treat the Settlement Agreement as business confidential information, and keep it separate from the file of the involved patents, under 37 C.F.R. § 42.74(c).

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' joint request to treat the true copy of the Settlement Agreement as business confidential information, and to keep separate from the file of the involved patent, under 37 C.F.R. § 42.74(c) is *granted*;

FURTHER ORDERED that the Settlement Agreement (Exhibit 1020) shall remain business confidential information, and shall be kept separate from the file of the involved patent; and

FURTHER ORDERED that the parties' Joint Motion to Terminate IPR Proceeding is *granted*, and the Petition is dismissed resulting in termination of this proceeding.

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