

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZYXEL COMMUNICATIONS CORPORATION and
ZYXEL NETWORKS CORPORATION,
Petitioners,

v.

ATLAS GLOBAL TECHNOLOGIES, LLC,
Patent Owner.

IPR2023-00863
Patent 9,531,520 B2

Before JOSIAH C. COCKS, DAVID C. McKONE, and
STEPHEN E. BELISLE, *Administrative Patent Judges*.

COCKS, Administrative Patent Judge.

ORDER
Dismissing the Petition
37 C.F.R. §§ 42.5(a), 42.71(a)

On April 18, 2023, Petitioner, Zyxel Communications Corporation and Zyxel Networks Corporation, filed a Petition seeking *inter partes* review of U.S. Patent No. 9,531,520 B2 (“the ’520 patent”). Paper 3. On August 11, 2023, Patent Owner, Atlas Global Technologies, LLC, filed a Patent Owner’s Preliminary Response. Paper 10. On October 16, 2023, the parties filed a “Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. §§ 42.72, 42.74.” Paper 11. The parties also filed a true copy of the written settlement agreement between the parties (Ex. 2023), and a joint request to file the settlement agreement as business confidential information (Paper 12).¹

We have not instituted trial in this proceeding. Thus, this proceeding is in its initial stages. The parties indicate that they “have settled their entire dispute concerning the ’520 [p]atent.” Paper 11, 4. Under these circumstances, we determine that it is appropriate to dismiss the Petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a).

It is

ORDERED that the “Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. §§ 42.72, 42.74” (Paper 11) is *granted*;

FURTHER ORDERED that the Petition for *inter partes* review of the above-referenced patent is *dismissed*; and

FURTHER ORDERED that, as was requested timely by the parties (Paper 12), the settlement agreement (Ex. 2023) will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) and be kept separate from the file of the involved patent.

¹ The filings were authorized in e-mail correspondence from Board personnel on October 13, 2023.

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