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Paper 9
Date: July 21, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TCL ELECTRONICS HOLDINGS LTD. (F/K/A TCL MULTIMEDIA TECHNOLOGY HOLDINGS, LTD.),
TCL INDUSTRIES HOLDINGS CO., LTD.,
TCL INDUSTRIES HOLDINGS (H.K.) LIMITED,
TTE TECHNOLOGY, INC. (D/B/A TCL NORTH AMERICA),
TTE CORPORATION, TCL MOKA INTERNATIONAL LIMITED,
TCL MOKA MANUFACTURING S.A. DE C.V.,
TCL KING ELECTRICAL APPLIANCES (HUIZHOU) CO. LTD.,
MANUFACTURAS AVANZADAS S.A. DE C.V.,
TCL SMART DEVICE (VIETNAM) CO., LTD.,
SHENZHEN TCL NEW TECHNOLOGY CO., LTD.,
TCL OPTOELECTRONICS TECHNOLOGY (HUIZHOU) CO., LTD.,
TCL OVERSEAS MARKETING LTD., and
TCL TECHNOLOGY GROUP CORPORATION (F/K/A TCL CORP.),
Petitioner,

v.

LG ELECTRONICS INC.,
Patent Owner.

IPR2023-00869
Patent 10,499,431 B2

Before ROBERT J. WEINSCHENK, JOHN A. HUDALLA, and KARA L. SZPONDOWSKI, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

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

I. INTRODUCTION

The parties filed a Joint Motion to Terminate Proceeding. Paper 7 ("Motion" or "Mot."). The parties also filed a copy of a Settlement Agreement. Ex. 1030 ("Agreement"). In a Joint Request, the parties identified the Agreement as business confidential information and requested that the Agreement be kept separate from the patent file. Paper 8 ("Joint Request"). For the reasons discussed below, the Motion and Joint Request are *granted*.

II. ANALYSIS

We have not decided the merits of this proceeding. The parties indicate that they have settled their disputes regarding the challenged patent. Mot. 1. The parties filed the Agreement and "certify 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 this proceeding." *Id.* at 4. "There are strong public policy reasons to favor settlement between the parties to a proceeding," and, thus, "[t]he Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding." Consolidated Trial Practice Guide, 86 (Nov. 2019), *available at* https://www.uspto.gov/sites/default/files/documents/tpgnov.pdf ("TPG").

Under these circumstances, we determine that it is appropriate to terminate this proceeding. *See* 37 C.F.R. § 42.72. We also determine that it is appropriate to treat the Agreement as business confidential information to be kept separate from the patent file. *See* 37 C.F.R. § 42.74(c).

III. ORDER

It is hereby

ORDERED that the Motion is *granted*;

FURTHER ORDERED that this proceeding is *terminated* as to all parties; and

FURTHER ORDERED that the Joint Request to treat the Agreement as business confidential information to be kept separate from the patent file is *granted*.

PETITIONER:

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