

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTERNATIONAL BUSINESS MACHINES CORPORATION,
Petitioner,

v.

DIGITAL DOORS, INC.,
Patent Owner.

IPR2023-00973
Patent 8,468,244 B2

Before THU A. DANG, THOMAS L. GIANNETTI, and
ELIZABETH M. ROESEL, *Administrative Patent Judges*.

ROESEL, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

On May 22, 2024, with prior Board authorization, the parties filed a “Joint Motion to Terminate” this proceeding. Paper 20 (“Mot.”). Along with the Joint Motion, the parties filed a copy of a “Joint Stipulation of Dismissal” (“Stipulation,” Ex. 2016). Referring to the Stipulation, the Motion states that “[t]here are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.” Mot. § I. The parties describe the Stipulation as “settling all disputes relating to the patent at issue in this proceeding,” and states the Stipulation as filed in Exhibit 2016 is a “true copy” of their agreement. *Id.* The Stipulation was filed in the related district court litigation and led to the dismissal of that action. *Id.* The Stipulation states, in its entirety, that:

Plaintiff DigitalDoors, Inc. (“Plaintiff”) and Defendant International Business Machines Corporation (“Defendant”), jointly request and stipulate to, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), dismissal with prejudice all of Plaintiff’s claims in this case. The Parties further stipulate that Plaintiff and Defendant shall bear their own costs, expenses, and attorneys’ fees.

Ex. 2016, 1.

II. DISCUSSION

On June 23, 2023, Petitioner filed a Petition requesting *inter partes* review of claim 1 of U.S. Patent No. 8,468,244 B2. Paper 2. On January 19, 2024, we instituted a trial. Paper 10. We have not yet decided the merits of the proceeding, and a final written decision has not been entered. Notwithstanding that the proceeding has moved beyond the preliminary stage, the Parties have shown adequately that termination is

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appropriate. Under these circumstances, we determine that good cause exists to terminate the proceeding.

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' Joint Motion to Dismiss (Paper 20) is *granted*, and the proceeding is *terminated* pursuant to 37 C.F.R. § 42.72.

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