

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC., META PLATFORMS TECHNOLOGIES,
LLC, and TWISTED PIXEL GAMES, LLC,
Petitioner,

v.

EIGHT KHZ, LLC,
Patent Owner.

IPR2023-01024
Patent 11,290,836 B2

Before JUSTIN T. ARBES, LYNNE H. BROWNE, and
SCOTT RAEVSKY, *Administrative Patent Judges*.

ARBES, *Administrative Patent Judge*.

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

The parties filed a joint motion to terminate the instant proceeding on the basis of a settlement reached by the parties. *See* Paper 23 (“Mot.”); 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.72, 42.74. The parties also filed a copy of their written settlement agreement (Exhibit 1146), along with a joint request (Paper 25) to treat the agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

The instant proceeding is still at an early stage, as a trial was instituted on December 7, 2023, but Patent Owner has not yet filed its Response. In the joint motion to terminate, the parties represent that they “have settled their larger dispute concerning [the challenged patent], including in the district court litigation between the parties.” Mot. 2. The parties further state that they filed a “true and correct copy” of their settlement agreement and “there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.” *Id.* at 3. Under these circumstances, we determine that it is appropriate to terminate the instant proceeding without rendering any further decisions.

In consideration of the foregoing, it is hereby:

ORDERED that the parties’ request that the settlement agreement (Exhibit 1146) be treated as business confidential information, kept separate from the file of U.S. Patent No. 11,290,836 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the joint motion to terminate is *granted* and the proceeding is hereby *terminated*.

FOR PETITIONER:

Inge A. Osman
Christopher Henry
Steven W. Peters
Linfong Tzeng
Kimberly Q. Li
Razi Safi
LATHAM & WATKINS LLP
inge.osman@lw.com
christopher.henry@lw.com
steven.peters@lw.com
linfong.tzeng@lw.com
kimberly.li@lw.com
razi.safi@lw.com

FOR PATENT OWNER:

Kevin S. Tuttle
Brian G. Strand
Erick S. Robinson
Patrick M. Dunn
Kyle L. Elliott
Homayoon Rafatijo
Jayme Partridge
SPENCER FANE LLP
ktuttle@spencerfane.com
bstrand@spencerfane.com
erobinson@spencerfane.com
patdunn64@gmail.com
kelliott@spencerfane.com
hrafatijo@spencerfane.com
jpartridge@spencerfane.com

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Jim Thomas
Jayne C. Piana
Lance G. Wimmer
FLETCHER YODER, P.C.
thomas@fyiplaw.com
piana@fyiplaw.com
wimmer@fyiplaw.com