

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MIANYANG BOE OPTOELECTRONICS TECHNOLOGY CO. LTD.,
WUHAN CHINA STAR OPTOELECTRONICS SEMICONDUCTOR
DISPLAY TECHNOLOGY CO., LTD., TIANMA MICROELECTRONICS
CO. LTD, and VISIONOX TECHNOLOGY, INC.,
Petitioner,

v.

SAMSUNG DISPLAY COMPANY, LTD.,
Patent Owner

IPR2023-01221
Patent 9,330,593 B2

Before JAMESON LEE, JOHN A. HUDALLA, and IFTIKHAR AHMED,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

TERMINATION
Dismissal Prior to Institution of Trial
37 C.F.R. § 42.71(a)

INTRODUCTION

Mianyang Boe Optoelectronics Technology Co., Ltd., Wuhan China Star Optoelectronics semiconductor Display Technology Co., Ltd., Tianma Microelectronics Co. Ltd., and Visionnox Technology, Inc. (collectively “Petitioner”) filed a Motion to Terminate the Proceeding. Paper 9 (“Motion”). The Motion states: “Petitioner wishes to terminate this *Inter Partes* Review before the IPR Proceeding is instituted. Patent Owner does not oppose.” *Id.* at 1. The Motion further states: “Petitioner certifies that there are no other agreements, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the proceeding,” and that “[b]oth Petitioner and Patent Owner support termination of the IPR Proceeding.” *Id.* at 3.

DISCUSSION

In an email communication to the Board, Petitioner clarifies that inclusion of the word “other” in the Motion, in the sentence “Petitioner certifies that there are no other agreements, oral or written, between the Parties made in connection with, or in contemplation of, the termination of the proceeding,” is a typographical error. Ex. 3002. Petitioner now certifies that “there is no agreement, oral or written, between the Parties made in connection with, or in contemplation of the termination of the proceeding.” *Id.*

Patent Owner does not oppose the Motion.¹ This proceeding is at an early stage. Patent Owner has not yet filed a Preliminary Response and we

¹ A copy of Patent Owner’s email communication to the Board, indicating that Patent Owner does not oppose Petitioner’s Motion to Terminate, is entered as Exhibit 3003.

have not issued a decision on whether to institute an *inter partes* review. Under these circumstances, we determine that good cause exists to dismiss the Petition and terminate the proceeding both as to Petitioner and Patent Owner. *See* 37 C.F.R. § 42.71(a) (“The Board may take up petitions or motions for decisions in any order, may grant, deny, or dismiss any petition or motion, and may enter any appropriate order.”).

ORDER

It is

ORDERED that the Petitioner’s Motion to Terminate is *granted*; and

FURTHER ORDERED that this proceeding is *terminated* both as to Petitioner and to Patent Owner, and that the Petition is *dismissed*.

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