

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TP-LINK CORPORATION LIMITED,
Petitioner,

v.

NETGEAR, INC.,
Patent Owner.

IPR2023-01400
Patent 10,327,242 B2

Before NATHAN A. ENGELS, SHEILA F. McSHANE, and
JASON M. REPKO, *Administrative Patent Judges*.

ENGELS, *Administrative Patent Judge*.

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

I. INTRODUCTION

With the Board’s authorization, Petitioner and Patent Owner filed a Joint Motion that requests termination of this proceeding. Paper 11 (“Motion” or “Mot.”). Along with the Motion, the parties filed a copy of their confidential settlement agreement (Ex. 2002) and a Joint Request (Paper 12) that the settlement agreement be treated as business confidential information and kept separate from the file of U.S. Patent No. 10,327,242 B2 (“the ’242 patent”).

II. DISCUSSION

The parties state that the settlement agreement resolves the parties’ disputes involving the ’242 patent and that Exhibit 2002 is a true copy of the agreement or understanding made in connection with, or in contemplation of, the termination of this proceeding. Mot. 1–2. This proceeding is still in its early stages: Patent Owner has not filed its Response. We have not yet issued a final written decision. Thus, we determine that good cause exists to grant the Motion and terminate the proceeding.

The parties request that their settlement agreement be treated as business confidential information and kept separate from the ’242 patent’s file. Paper 12, 1. We agree that the settlement agreement contains confidential business information about the settlement terms. Thus, good cause exists to treat the settlement agreement as business confidential information under 37 C.F.R. § 42.74(c), and we grant the request.

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

III. ORDER

It is

ORDERED that the Joint Motion to Terminate (Paper 11) is *granted*;

FURTHER ORDERED that the Joint Motion to File the Agreement as Business Confidential Information (Paper 12) is *granted* and the agreement (Ex. 2002) shall be treated as business confidential information and be kept separate from the files of the '025 patent and made available only under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that this proceeding is *terminated*.

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