

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HID GLOBAL CORPORATION,
Petitioner,

v.

DATAMARS SA,
Patent Owner.

IPR2023-01445
Patent 11,128,027 B2

Before KARL D. EASTHOM, DAVID C. McKONE, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

McKONE, *Administrative Patent Judge*.

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

On September 29, 2023, Petitioner HID Global Corp. filed a Petition seeking *inter partes* review of U.S. Patent No. 11,128,027 B2 (“the ’027 patent”). Paper 1. On January 16, 2024, the parties filed a “Joint Motion to Terminate Proceeding.” Paper 6. The parties also filed a true copy of the written settlement agreement between the parties (Ex. 1029) and a joint request to file the settlement agreement as business confidential information (Paper 7).¹

We have not instituted trial in this proceeding. Thus, this proceeding is in its initial stages. The parties indicate that they “have entered an agreement that resolves all underlying disputes between the parties, including this proceeding.” Paper 6, 1. Under these circumstances, we determine that it is appropriate to dismiss the Petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a).

It is

ORDERED that the “Joint Motion to Terminate Proceeding” (Paper 6) is *granted*;

FURTHER ORDERED that the Petition for *inter partes* review of the above-referenced patent is *dismissed*; and

FURTHER ORDERED that, as was requested timely by the parties (Paper 7), the settlement agreement (Ex. 1029) will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) and be kept separate from the file of the involved patent.

¹ The filings were authorized in e-mail correspondence from Board personnel on January 16, 2024.

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