

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HYUNDAI MOTOR COMPANY,  
Petitioner,

v.

MEL NAVIP LLC,  
Patent Owner.

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IPR2024-00172 (Patent 8,244,465 B2)  
IPR2024-00174 (Patent 8,812,230 B2)<sup>1</sup>

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Before BENJAMIN D. M. WOOD, LYNNE H. BROWNE, AND  
RICHARD H. MARSCHALL, *Administrative Patent Judges*.

PER CURIAM.

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

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<sup>1</sup> This Order addresses issues that are the same in the identified cases. We exercise our discretion to issue one Order to be filed in each case. The parties, however, are not authorized to use this filing style in subsequent papers.

## I. INTRODUCTION

With the Board’s authorization (Ex. 3001), Petitioner and Patent Owner (collectively referred to as “the Parties”) filed a Joint Motion to Terminate Proceeding in each of the above-identified proceedings due to settlement (“Joint Motion”). Paper 9.<sup>2</sup> In support of the Joint Motion, the Parties filed in each proceeding a corresponding Settlement Agreement, Ex. 2003 (“Settlement Agreement”),<sup>3</sup> as well as a corresponding Joint Request to Treat Agreement as Business Confidential pursuant to 37 C.F.R. § 42.74(c), Paper 10 (“Joint Request”).

## II. DISCUSSION

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceedings, and that the filed copy of the Settlement Agreement is a true copy. Joint Motion 2. The Parties further represent that their Settlement Agreement resolves all currently pending Patent Office proceedings between the Parties involving Patent 8,244,465 B2 and Patent 8,812,230 B2. *Id.* at 3. The Parties further represent that the related District Court proceeding (*Mel NavIP LLC v. Hyundai Motor Company*, No. 2:23-cv-00176 (E.D. Tex.) filed April 18, 2023) has been dismissed. *Id.*

Accordingly, the Parties jointly request termination of these proceedings. *Id.*

The Board generally expects that a case “will terminate after the filing of a settlement agreement, unless the Board has already decided the merits.”

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<sup>2</sup> We cite to Papers filed in IPR2024-00172. The Parties filed similar a Motion in IPR2024-00174.

<sup>3</sup> We cite to Exhibits filed in IPR2024-00172. The Parties filed a similar Agreement in IPR2024-00174.

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*Consolidated Trial Practice Guide*, 86 (Nov. 2019)<sup>4</sup>; *see* 35 U.S.C. §317(a); 37 C.F.R. § 42.72. Here, although the Board has instituted *inter partes* review of the challenged patents, the Board has not decided the merits of these proceedings. Under these circumstances, therefore, we determine that it is appropriate to terminate these proceedings as to the Parties, without rendering a final written decision.

After reviewing the Settlement Agreement between Petitioner and Patent Owner, we find that the Settlement Agreement contains confidential business information regarding the terms of settlement. We determine that good cause exists to treat the Settlement Agreement between Petitioner and Patent Owner as business confidential information pursuant to 37 C.F.R. § 42.74(c).

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

### III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motion to Terminate is *granted*, and the above-identified proceedings are *terminated*; and

FURTHER ORDERED that the Joint Request to Treat the Settlement Agreement as Business Confidential is *granted*, and the Settlement Agreement shall be kept separate from the files of Patent 8,244,465 B2 and Patent 8,812,230 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c).

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<sup>4</sup> Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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