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Paper 20
Entered: December 12, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD, SAMSUNG ELECTRONICS AMERICA, INC., and HARMAN INTERNATIONAL INDUSTRIES, INC.,
Petitioner,

v.

STATON TECHIYA, LLC,
Patent Owner.

IPR2024-00559 (Patent 11,610,587 B2); IPR2024-01031 (Patent 11,659,315 B2)
IPR2024-01003 (Patent 11,710,473 B2); IPR2024-01032 (Patent 11,683,643 B2)
IPR2024-01004 (Patent 11,710,473 B2); IPR2024-01033 (Patent 11,750,965 B2)
IPR2024-01015 (Patent 11,665,493 B2); IPR2024-01034 (Patent 11,665,493 B2)[1]

Before GEORGE R. HOSKINS, NATHAN A. ENGELS,
MONICA S. ULLAGADDI, SCOTT B. HOWARD, and RUSSELL E. CASS,
Administrative Patent Judges.[2]
ULLAGADDI, *Administrative Patent Judge*.

ORDER
Granting Joint Motion for Termination of the Proceeding and
Denying-in-part and Granting-in-part Joint Request to Treat Settlement Agreement
as Business Confidential Information
35 U.S.C. § 317(a), *37 C.F.R. § 42.72*, *37 C.F.R. § 42.74*

[1] The parties are not permitted to use this caption without authorization from the Board.
[2] This is not an expanded panel; rather, this single order addresses the same situation in each proceeding, each with differing panel members.

I. INTRODUCTION

Pursuant to our authorization and 37 C.F.R. § 42.72, the Parties filed a "Joint Motion to Terminate Proceeding" (Paper 17, "Mot." Or "Motion") and a "Joint Motion to Treat Settlement Agreement as Business Confidential Information" (Paper 18, "Req." or "Request") on December 9, 2024.[3] In addition, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b) and (c), the parties filed a true and correct copy of a Settlement Agreement (Exhibit 1037, "Settlement Agreement") along with attendant Exhibits A–I on December 11, 2024.[4]

II. ANALYSIS

Under 35 U.S.C. § 317(a), "[a]n *inter partes* review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed." The Board has not decided the merits of any of the captioned proceedings, nor have institution decisions been

[3] In this Order, we refer to papers filed in IPR2024-00559. A similar joint motion and joint request were filed in each of IPR2024-01003 (Papers 13 and 14), IPR2024-01004 (Papers 13 and 14), IPR2024-01015 (Papers 12 and 13), IPR2024-01031 (Papers 13 and 14), IPR2024-01032 (Papers 13 and 14), IR2024-01033 (Papers 12 and 13), and IPR2024-01034 (Papers 14 and 15).

[4] A settlement agreement was also filed in each of IPR2024-01003 (Exhibit 1061), IPR2024-01004 (Exhibit 1061), IPR2024-01015 (Exhibit 1024), IPR2024-01031 (Exhibit 1038), IPR2024-01032 (Exhibit 1042), IPR2024-01033 (Exhibit 1018), and IPR2024-01034 (Exhibit 1027).

filed in any of the captioned proceedings except for IPR2024-00559, in which the Patent Owner Response was very recently filed on December 6, 2024.

Under 37 C.F.R. § 42.72, "[t]he Board may terminate a trial without rendering a final written decision, where appropriate, including . . . pursuant to a joint request under 35 U.S.C. [§] 317(a)." After reviewing the Motion and the Request, as well as the Settlement Agreement and accompanying Exhibits A–I, we determine that it is appropriate to terminate each proceeding without rendering a final written decision. Therefore, the Motion is granted.

In addition, the Parties filed a Request to treat the Settlement Agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). We have reviewed the Settlement Agreement, which contains confidential business information regarding the settlement terms, and we determine that good cause exists to treat the Settlement Agreement as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Accordingly, we grant-in-part the Parties' Request.

The Parties additionally "each request that they be notified if and when the Board receives and/or considers a request for access to the settlement agreement, and be offered an opportunity to respond to any such request." Req. 2 (citing *Arista Networks, Inc. v. Catlemorton Wireless, LLC*, IPR2020-00986 Pap. 7, 4 (PTAB Oct. 28, 2020)). That request is denied. Under 35 U.S.C. § 317(b), settlement agreements "shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause." The provision under

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IPR2024-01031 Patent 11,659,315 B2
IPR2024-01032 Patent 11,683,643 B2
IPR2024-01033 Patent 11,750,965 B2
IPR2024-01034 Patent 11,665,493 B2

37 C.F.R. § 42.74(c) reads similarly. Here, the Parties are essentially asking the Board to include additional requirements to those provisions. As we find this aspect of the Parties' Request to be inappropriate, the Request is denied-in-part.

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that in each of IPR2024-00559, IPR2024-01003, IPR2024-01004, IPR2024-01015, IPR2024-01031, IPR2024-01032, IPR2024-01033, and IPR2024-01034, the Joint Motion to Terminate is granted, and these proceedings are terminated;

FURTHER ORDERED that in each of IPR2024-00559, IPR2024-01003, IPR2024-01004, IPR2024-01015, IPR2024-01031, IPR2024-01032, IPR2024-01033, and IPR2024-01034, the Joint Request is granted-in-part and denied-in-part in the manner noted above; and

FURTHER ORDERED that, the Settlement Agreement, in each of IPR2024-01003 (Exhibit 1061), IPR2024-01004 (Exhibit 1061), IPR2024-01015 (Exhibit 1024), IPR2024-01031 (Exhibit 1038), IPR2024-01032 (Exhibit 1042), IPR2024-01033 (Exhibit 1018), and IPR2024-01034 (Exhibit 1027), shall be kept separate from the files of the involved patents 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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