

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO (UNITED STATES) INC.,
Petitioner,

v.

TELEFONAKTIEBOLAGET LM ERICSSON,
Patent Owner.

IPR2024-00702
Patent 10,425,817 B2

Before JENNIFER S. BISK, SHARON FENICK, and SCOTT RAEVSKY,
Administrative Patent Judges.

FENICK, *Administrative Patent Judge.*

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

With the Board’s authorization, Petitioner and Patent Owner (collectively referred to as “the Parties”) filed a Joint Motion to Terminate Proceeding pursuant to 35 U.S.C. § 317 due to settlement. Paper 22 (“Joint Motion”). In support of the Joint Motion, the Parties filed a confidential Settlement Agreement (Ex. 1025 (“Settlement Agreement”)¹), as well as a Joint Request to File Settlement Agreement as Business Confidential Information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 23 (“Joint Request”)).

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 the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” Section 35 U.S.C. § 317(a) also provides that if no petitioner remains in the *inter partes* review, the Office may terminate the review.

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of this *inter partes* review proceeding, and that the filed copy of the Settlement Agreement is a true and complete copy. Joint Motion at 1–2. The Parties further represent that their settlement agreement resolves all present disputes regarding U.S. Patent No. 10,425,817. *Id* at 1.

We instituted a trial on the above-identified proceeding on September 18, 2024. Paper 7. We have not yet decided the merits of the proceeding, and a final written decision has not been entered. Notwithstanding that the proceeding has moved beyond the preliminary stage, the Parties have shown

¹ The Parties filed a Settlement Agreement on April 8, 2025, and then filed a “Corrected” Settlement Agreement on April 10, 2025.

adequately that the termination of the proceeding is appropriate. Under these circumstances, we determine that good cause exists to terminate the proceeding with respect to the Parties.

The Parties also filed a Joint Request that the Settlement Agreement be treated as business confidential information and be kept separate from the file of the respective patents involved in this *inter partes* proceeding. Joint Request at 1. 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 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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

ORDER

Accordingly, it is:

ORDERED that the Joint Motion to terminate IPR2024-00702 is *granted*, and that IPR2024-00702 is *terminated*;

FURTHER ORDERED that the Joint Request is *granted*, and the Settlement Agreement (Ex. 1025) shall be treated as business confidential information, shall be kept separate from the files of U.S. Patent No. 10,425,817, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause on written request, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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FOR PETITIONER:

Robert Appleby
W. Todd Baker
KIRKLAND & ELLIS LLP
robert.appleby@kirkland.com
todd.baker@kirkland.com

FOR PATENT OWNER:

Scott Hejny
Christian Hurt
Joseph Micheli
MCKOOL SMITH, P.C.
Ericsson_Lenovo_IPRs@mckoolsmith.com
shejny@mckoolsmith.com
churt@mckoolsmith.com
jmicheli@mckoolsmith.com