Trials@uspto.gov
571-272-7822

Paper 53
Date: July 14, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ENDYMED MEDICAL LTD. and ENDYMED MEDICAL, INC.,
Petitioner,

v.

SERENDIA, LLC,
Patent Owner.

IPR2024-00383 (Patent 9,775,774 B2)
IPR2024-00384 (Patent 9,320,536 B2)
IPR2024-00463 (Patent 10,869,812 B2)[1]

Before SHERIDAN K. SNEDDEN, CARL M. DEFRANCO, and RYAN H. FLAX, *Administrative Patent Judges.*

DEFRANCO, *Administrative Patent Judge*.

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

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[1] This is a consolidated Decision for all three proceedings. EndyMed Medical Ltd. and EndyMed Medical, Inc. were joined as petitioners to these proceedings. *See* Paper 34. The original petitioners, Ilooda Co., Ltd. and Jeisys Medical Inc., are no longer parties. *See* Papers 14, 35.

With our authorization, Petitioner EndyMed Medical Ltd. and EndyMed Medical, Inc. and Patent Owner Serendia, LLC (collectively, "the parties") filed a joint motion to terminate each of the above-identified *inter partes* review proceedings due to settlement. *See* Paper 48 ("Mot.").[2] Along with the joint motion, the parties filed a copy of their settlement agreement, which they request be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. 42.74(c). *See id.* at 1 (citing Ex. 2161). The parties represent that the settlement agreement, as filed, is a true and complete copy.[3] *See id.* The parties further represent that the settlement agreement resolves "all disputes" regarding the challenged patents and, thus, request that the above-identified proceedings be terminated. *Id.* at 2–3.

In the case of settlement, an instituted proceeding "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." 35 U.S.C. § 317(a). Also, an instituted proceeding will be terminated due to settlement only "[i]f no petitioner remains in the inter partes review." *Id.* Here, we are still months away from a final decision on the merits, and no petitioner would remain upon termination of these proceedings. Thus, in light of the parties'

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[2] For convenience, we cite only to papers and exhibits in IPR2024-00383, but substantially identical papers and exhibits are part of the record in each of the other two proceedings.

[3] The settlement agreement indicates that it constitutes "the entire agreement" between the parties. Ex. 2161, at 8.

settlement agreement, we deem it appropriate to grant the request for termination.

The parties also request that their settlement agreement (Exhibit 2161) be treated as business confidential information and be kept separate from the files of the challenged patents. *See* Paper 49. After reviewing the settlement agreement, we agree that it appears to contain confidential business information. As such, we determine it is appropriate to treat the settlement agreement as business confidential information and keep it separate from the files of the challenged patents. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74.

Accordingly, it is:

ORDERED that the joint motion to terminate in each of the above-identified proceedings (IPR2024-00383, Paper 48; IPR2024-00384, Paper 48; and IPR2024-00463, Paper 50) is *granted*;

FURTHER ORDERED that the joint request to treat the settlement agreement (Ex. 2161) as business confidential information in each of the above identified-proceedings (IPR2024-00383, Paper 49; IPR2024-00384, Paper 49; and IPR2024-00463, Paper 51) is *granted*;

FURTHER ORDERED that the settlement agreement (Ex. 2161) in the above-identified proceedings shall be treated as business confidential information, kept separate from the files of the above-identified patents, and made available only to federal government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that each of the above-identified proceedings is terminated.

IPR2024-00383 (Patent 9,775,774 B2)
IPR2024-00384 (Patent 9,320,536 B2)
IPR2024-00463 (Patent 10,869,812 B2)

FOR PETITIONER:

Scott Weidenfeller
Anupam Sharma
Peter Chen
Wonseon Choi
COVINGTON & BURLING LLP
sweidenfeller@cov.com
asharma@cov.com
pchen@cov.com
wchoi@steptoe.com

Wesley Mueller
Leonard Hua
Paul Filbin
Brent Chatham
LEYDIG, VOIT & MAYER, LTD.
wmueller@leydig.com
lhua@leydig.com
pfilbin@leydig.com
bchatham@leydig.com

Guy Yonay
Zeev Pearl
Kyle Auteri
Milo Eadan
PEARL COHEN ZEDEK LATZER BARATZ LLP
gyonay@pearlcohen.com
zpearl@pearlcohen.com
kauteri@pearlcohen.com
meadan@pearlcohen.com

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FOR PATENT OWNER:

Charles H. Sanders
Cecilia Peniza
Steven W. Peters
LATHAM & WATKINS LLP
charles.sanders@lw.com
cecilia.peniza@lw.com
steven.peters@lw.com