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Paper 13
Date: April 3, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC. and AMAZON.COM SERVICES LLC,
Petitioner,

v.

NOKIA TECHNOLOGIES OY,
Patent Owner.

IPR2024-01503
Patent 9,571,833 B2

Before JAMESON LEE, STEVEN M. AMUNDSON, and JASON M. REPKO, *Administrative Patent Judges.*

LEE, *Administrative Patent Judge*.

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

ORDER
Granting-In-Part and Denying-In-Part
Request to File Settlement Agreements
as Business Confidential Information
35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c)

I. INTRODUCTION

On April 1, 2025, Petitioner and Patent Owner together filed a Joint Motion to Terminate this proceeding (Paper 11, "Motion to Terminate") as well as a copy of their Settlement Agreement (Ex. 2019) and a copy of their Patent Agreement with exhibits (Ex. 2020). Also on April 1, 2025, the parties filed, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), a Joint Request to Treat Settlement Agreement and Patent Agreement as Business Confidential Information, specifically identifying Exhibits 2019 and 2020. Paper 12 ("Joint Request").

II. DISCUSSION

We have just instituted review on March 28, 2025. Patent Owner's Response has not yet been filed. We determine, therefore, that it is appropriate to terminate this proceeding both as to Petitioner and Patent Owner, and to treat Exhibits 2019 and 2020 as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

However, the Joint Request includes the following additional request: "Both parties also respectfully request that the Board inform us if anyone seeks production of the agreement and afford the parties an opportunity to address whether such request is supported by good cause." Paper 12, 4. Neither 35 U.S.C. § 317(b) nor 37 C.F.R. § 42.74(c) provides for such notice to the parties, and such a request is also not in compliance with our authorizing email dated March 31, 2025, which states: "The request to file agreements should not make requests beyond that expressly provided by 37 C.F.R. § 42.74(c)." Ex. 3002. Accordingly, this additional request is denied.

III. ORDER

It is:

ORDERED that the Joint Motion to Terminate this proceeding is *granted*, and this proceeding is hereby terminated as to both Petitioner and Patent Owner;

FURTHER ORDERED that the Joint Request to treat Exhibits 2019 and 2020 as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is *granted-in-part and denied-in-part*—all parts of the Joint Request is granted except for the request that the parties be informed if anyone seeks production of the agreement and that the parties be provided an opportunity to address whether there is good cause for such production;

FURTHER ORDERED that the Settlement Agreement (Ex. 2019) and Patent Agreement with exhibits (Ex. 2020) shall be kept separate from the file of Patent 9,571,833 B2;

FURTHER ORDERED that the Settlement Agreement (Ex. 2019) and the Patent Agreement with exhibits (Ex. 2020) shall, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), be made available only to Federal Government agencies on written request or to any other person upon written request and showing of good cause.

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