

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUNERGY ALABAMA INC., RUNERGY USA INC., MUNDRA SOLAR PV
LTD., ADANI SOLAR USA INC., and CANADIAN SOLAR (USA) INC.,
Petitioners,

v.

TRINA SOLAR CO., LTD.,
Patent Owner.

IPR2025-00006 (Patent 10,230,009 B2)
IPR2025-00007 (Patent 9,722,104 B2)¹

Before GRACE KARAFFA OBERMANN, AVELYN M. ROSS, and
DEBRA L. DENNETT, *Administrative Patent Judges*.

DENNETT, *Administrative Patent Judge*.

TERMINATION

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

¹ This Order addresses similar requests filed in each of the above-captioned proceedings. We issue one Order to be filed in each proceeding. The parties are not permitted to use this case caption in any subsequent papers.

I. INTRODUCTION

Trina Solar Co., Ltd. (“Trina”) is the original owner of U.S. Patent 10,230,009 B2 (“the ’009 patent”) and U.S. Patent 9,722,104 B2 (“the ’104 patent”). Trina filed Updated Mandatory Notices on January 23, 2026, identifying Evervolt Green Energy Holding Pte Ltd. (“Evervolt”) as the current owner of the challenged patents. Runenergy Alabama Inc. and Runenergy USA Inc. filed IPR2025-00006 challenging the ’009 patent and trial was instituted on April 21, 2025. Mundra Solar PV Ltd. and Adani Solar USA Inc. were joined as petitioners in IPR2025 00006 based on a petition and granted motion for joinder filed in IPR2025-00187. Canadian Solar (USA) Inc. was joined as a petitioner in IPR2025-00006 based on a petition and granted motion for joinder filed in IPR2025-00917. Runenergy Alabama Inc. and Runenergy USA Inc. filed IPR2025-00007 challenging the ’104 patent and trial was instituted on April 21, 2025. Mundra Solar PV Ltd. and Adani Solar USA Inc. were joined as petitioners in IPR2025 00007 based on a petition and granted motion for joinder filed in IPR2025-00186. Canadian Solar (USA) Inc. was joined as a petitioner in IPR2025-00007 based on a petition and granted motion for joinder filed in IPR2025-00918.

On January 29, 2026, counsel for Mundra Solar PV Ltd. and Adani Solar USA Inc. (“Joined Petitioners”) emailed the Board requesting authorization to submit a motion to terminate and a motion for confidential treatment of the agreements to be submitted with the motion to terminate in each of IPR2025-00006 and IPR2025-00007, and noting that Trina and Evervolt did not oppose. The Board authorized the filings, and on February 4, 2026 Joined Petitioners, Trina, and Evervolt filed a Joint Motion to Terminate Petitioners Mundra Solar PV Ltd. and Adani Solar USA Inc. in each of the above-identified proceedings. Paper 34

(“Joint Motion”).² In support of each Joint Motion, Trina filed a copy of the Letter of Intent resolving U.S. legal actions between Joined Petitioners and Trina (“Trina Agreement,” Ex. 1066) and a copy of an agreement binding Evervolt to the terms of the Trina Agreement (“Evervolt Agreement,” Ex. 1067) (collectively “Agreements”). Joined Petitioners filed a Joint Request That Agreements Be Treated as Business Confidential Information and Be Kept Separate (Paper 35 (“Joint Request”)) pursuant to 37 C.F.R. § 42.74. The Agreements were filed under seal as Board and parties only.

II. DISCUSSION

An inter partes review “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.” 35 U.S.C. § 317(a) (“Section 317(a)”) (Board’s emphasis). As explained in our Consolidated Trial Practice Guide (“CTPG”), issued in November 2019,³ “[t]he Board expects that a proceeding will terminate” as to settling parties “after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.” CTPG 86.

On January 29, 2026, the Board conducted a consolidated final hearing in IPR2025-00006 and IPR2025-00007. The Board has not entered a final decision on the merits in either of the proceedings. Final written decisions are due on April 21, 2026. Given that the Board has not “already decided the merits,” and that all parties agree to termination, we determine that granting the Joint Motions in each

² We refer to papers and exhibits filed in IPR2025-00006. Similar papers and exhibits were filed in IPR2025-00007. We exercise our discretion and enter the same order in each proceeding.

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

proceeding is appropriate. CTPG 86. The parties are not permitted to use the case caption of this Order in any subsequent papers.

The content of the Agreements supports the parties' requests to treat the agreements as business confidential information. Exs. 1066, 1067.

After reviewing the Agreements, we find that they contain confidential business information regarding the terms of settlement. We determine that good cause exists to treat the Agreements as business confidential information pursuant to 37 C.F.R. § 42.74(c). However, we deny the portion of the Joint Requests requesting that the Board inform the parties if anyone seeks production of the agreements and afford them an opportunity to address whether such request is supported by good cause. Neither the statute nor the rule includes such a requirement.

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

III. ORDER

It is

ORDERED that the Joint Motion to Terminate each proceeding is granted;

FURTHER ORDERED that the case caption in IPR20025-00006 and IPR2025-00007 shall be changed to reflect termination of Mundra Solar PV Ltd. and Adani Solar USA Inc. as petitioners in accordance with the attached examples; and

FURTHER ORDERED that the Trina Agreement and Evervolt Agreement in each proceeding shall be maintained as confidential business information and kept separate from the files of the challenged patents.

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[Sample Case Caption for IPR2025-00006]

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Patent 10,230,009 B2

[Sample Case Caption for IPR2025-00007]

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