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Paper 28
Date: August 28, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN AXLE & MANUFACTURING, INC.,
Petitioner,

v.

NEAPCO COMPONENTS, LLC,
Patent Owner.

IPR2025-00090 (Patent 11,434,958 B2)
IPR2025-00091 (Patent 11,598,376 B2)[1]

Before LINDA E. HORNER, GEORGE R. HOSKINS, and FRANCES L. IPPOLITO, *Administrative Patent Judges.*

HOSKINS, *Administrative Patent Judge*.

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

[1] For convenience, we address the termination of these two related proceedings in one Order.

I. INTRODUCTION

With the Board's prior authorization, Petitioner (American Axle & Manufacturing, Inc.) and Patent Owner (Neapco Components, LLC) filed Joint Motions to Terminate these two related proceedings due to settlement. *See* Paper 27 ("Joint Motion").[2] In support of the Joint Motions, the parties filed a copy of a Settlement Agreement. *See* Ex. 2004 ("Settlement Agreement"). The parties also filed Joint Requests 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). *See* Paper 28.

II. DISCUSSION

In the Joint Motion, the parties represent they have reached an agreement to jointly seek termination of these two related *inter partes* review proceedings, and Exhibit 2004 is a true copy of the Settlement Agreement. *See* Joint Motion, at 2, 3. The parties also represent the Settlement Agreement resolves the disputes between the parties involving both proceedings. *See id.* at 2. The parties further certify there are no other collateral agreements or understandings, oral or written, between the parties made in connection with, or in contemplation of, the termination of these proceedings. *See id.* at 3.

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

[2] For expediency, we cite to papers filed in IPR2025-00090. The parties submitted similar papers in IPR2025-00091 (Papers 26 and 27). Exhibit 2004 is the same in both proceedings.

the merits of the proceeding before the request for termination is filed." Section 317(a) also provides that if no petitioner remains in the *inter partes* review, then the Office may terminate the review.

We instituted trial in both of these proceedings on May 29, 2025. *See* IPR2025-00090, Paper 8; IPR2025-00091, Paper 7. We have not yet decided the merits of the proceedings, and final written decisions have not been entered in these proceedings. Notwithstanding that the proceedings have moved beyond the preliminary stage, the parties have shown adequately that the termination of the proceedings is appropriate. Furthermore, there are strong public policy reasons to favor settlement between the parties to a proceeding. *See Patent Trial and Appeal Board Consolidated Trial Practice Guide*, 84 Fed. Reg. 64,280 (Nov. 21, 2019). Under these circumstances, we determine good cause exists to terminate the proceedings with respect to the parties.

After reviewing the Settlement Agreement, we find it contains confidential business information regarding the terms of settlement, and therefore determine good cause exists to treat it 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).

III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motions to Terminate (IPR2025-00090, Paper 27; IPR2025-00091, Paper 26) are *granted*;

FURTHER ORDERED that IPR2025-00090 and IPR2025-00091 are *terminated* with respect to the parties pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72; and

FURTHER ORDERED that the Joint Requests (IPR2025-00090, Paper 28; IPR2025-00091, Paper 27) to Treat the Settlement Agreement (Ex. 2004) as Business Confidential Information are *granted*, and the Settlement Agreement shall be kept separate from the files of the involved patents (U.S. Patent Nos. 11,434,958 B2 and 11,598,376 B2), 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).

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