

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO (UNITED STATES), INC.,
Petitioner,

v.

TELEFONAKTIEBOLAGET LM ERICSSON,
Patent Owner.

IPR2025-00177
Patent 10,708,618 B2

Before NORMAN H. BEAMER, STEVEN M. AMUNDSON, and
SCOTT RAEVSKY, *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

With Board authorization, the parties filed a Joint Motion to Terminate pursuant to 35 U.S.C. § 317 in the above-identified proceeding due to settlement. Paper 7 (“Joint Termination Motion”). The parties also filed a confidential Settlement Agreement (Ex. 1017 (“Settlement Agreement”)) and a confidential Arbitration Agreement (Ex. 1018 (“Arbitration Agreement”)). The parties additionally filed a Joint Request to Treat the Agreements as Business Confidential Information pursuant to 35 U.S.C. § 317(b). Paper 8 (“Joint Request”).

II. DISCUSSION

The parties’ Joint Termination Motion states that the parties “have reached a settlement.” Paper 7, 1. The Joint Termination Motion also indicates that the parties filed “a true copy of the Parties’ Settlement Agreement (Confidential Exhibit 1017) and Arbitration Agreement (Confidential Exhibit 1018).” *Id.* The parties also submit that “[t]here are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.” *Id.*

This proceeding is at an early stage, prior to any decision as to whether to institute a trial in the proceeding. In view of the early stage of the proceeding and the settlement between the parties, we determine that it is appropriate to dismiss the Petition in this proceeding and terminate the proceeding without rendering a decision on institution. Accordingly, we *grant* the Joint Termination Motion.

The parties also “jointly request that the Settlement Agreement and Arbitration Agreement filed as Confidential Exhibits 1017 and 1018 be treated as business confidential information and be kept separate from the

publicly available files of the involved patent.” Paper 8, 1; *see also* Paper 7, 1. We have reviewed the parties’ Settlement and Arbitration Agreements, and find that they contain confidential business information regarding the terms of settlement, and good cause exists to treat them as business confidential information and to keep them separate from the files of the patent that is involved in the above-identified proceeding, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Accordingly, we *grant* the Joint Request.

This Decision is not a final written decision under 35 U.S.C. § 318(a).

III. ORDER

Accordingly, it is

ORDERED that the Joint Termination Motion to terminate the above-identified proceeding (Paper 7) is *granted* and the Petition is *dismissed*, and IPR2025-00177 is *terminated*;

FURTHER ORDERED that the Joint Request (Paper 8) is *granted*, and the Settlement and Arbitration Agreements (Exhibits 1017 and 1018) shall be treated as business confidential information, shall be kept separate from the file of the involved patent (U.S. 10,708,618), 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); and

FURTHER ORDERED that Exhibits 1017 and 1018 shall remain designated as “Parties and Board Only” in the Board’s P-TACTS system.

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