Trials@uspto.gov
571-272-7822

Paper 17
Date: June 10, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMAZON.COM, INC.,
AMAZON.COM SERVICES LLC,
AMAZON WEB SERVICES, INC., and
TWITCH INTERACTIVE, INC,
Petitioners,

v.

NL GIKEN INC,
Patent Owner.

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IPR2024-01161 (Patent 9,319,615 B2)[1]
IPR2024-01345 (Patent 9,948,968 B2)
IPR2025-00050 (Patent 10,880,592 B2)
IPR2025-00250 (Patent 8,094,236 B2)
IPR2025-00407 (Patent 8,677,391 B2)

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Before WILLIAM V. SAINDON, ROBERT J. WEINSCHENK, MICHELLE N. WORMMEESTER, KEVIN C. TROCK, IFTIKHAR AHMED, and ANDREW L. NALVEN, *Administrative Patent Judges*.[2]

NALVEN, *Administrative Patent Judge.*

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[1] This Decision and Termination addresses an issue that is identical in all five proceedings. We, therefore, exercise our discretion to issue one Decision to be filed in each proceeding.
[2] This is not an expanded panel. A three-judge panel is assigned to each proceeding.

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

## I. INTRODUCTION

With the Board's authorization, the parties filed a Joint Motion to Terminate each of the above-identified proceedings (Paper 15 ("Joint Motion")), along with a copy of their written Settlement Agreement (Ex. 1018 ("Settlement Agreement")).[3] The parties further filed a Joint Request to treat the Settlement Agreement as business confidential information and to keep the Settlement Agreement separate from the patent files. Paper 16 ("Joint Request"). For the reasons discussed below, we grant the Joint Motion and Joint Request.

## II. ANALYSIS

Each of the above-identified proceedings is in its early stages. In IPR2025-00250 and IPR2025-00407, the Board has not yet decided whether to institute an *inter partes* review. In IPR2024-01161, IPR2024-01345, and IPR2025-0050, we issued decisions instituting an *inter partes* review, but no Patent Owner Response has been filed. *See* IPR2024-01161, Paper 11; IPR2024-01345, Paper 14; IPR2025-00050, Paper 12. In these cases where

[3] Unless otherwise noted, all citations refer to Papers and Exhibits filed in IPR2024-01161. Similar Papers and Exhibits were filed in IPR2024-01345, IPR2025-00050, IPR2025-00250 and IPR2025-00407.

trial has been instituted, substantive briefing is not yet completed and we have not yet decided the merits.

In the Joint Motion to Terminate, the parties represent that their Settlement Agreement "fully resolves this matter," and that Exhibit 1018 is "a true and accurate copy" of the Settlement Agreement. Joint Motion 2. The parties also acknowledge the Settlement Agreement "represents the entire agreement or understanding between the Parties made in connection with, or in contemplation of, the termination of this proceeding." *Id.*

Under these circumstances, we determine that it is appropriate to terminate these proceedings without rendering any further decisions. *See* 37 C.F.R. §§ 42.71(a), 42.72, 42.74(a). After reviewing the Settlement Agreement, we also determine that good cause exists to treat the Settlement Agreement as business confidential information and to keep it separate from the patent files. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

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

## III. ORDER

For the reasons given, it is

ORDERED that the Joint Motion in each of the above-identified proceedings is granted;

FURTHER ORDERED that each proceeding is terminated as to all parties; and

FURTHER ORDERED that the Joint Request in each of the above-identified proceedings is granted, and that the Settlement Agreement in each

proceeding 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).

PETITIONER:

Jennifer Nall
Robert Buergi
Joseph Wolfe
Michael Saulnier
DLA PIPER LLP (US)
jennifer.nall.ptab@us.dlapiper.com
robert.buergi@dlapiper.com
joseph.wolfe@us.dlapiper.com
michael.saulnier@us.dlapiper.com

PATENT OWNER:

Scott McKeown
Gerald Hrycyszyn
Victor Cheung
Thomas Foley
WOLF, GREENFIELD & SACKS, P.C.
smckeown-ptab@wolfgreenfield.com
ghrycyszyn-ptab@wolfgreenfield.com
vcheung-ptab@wolfgreenfield.com
foley-ptab@wolfgreenfield.com