Trials@uspto.gov
Tel: 571-272-7822

Paper 12
Date: May 29, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

OPTIMUM IMAGING TECHNOLOGIES, LLC,
Patent Owner.

IPR2025-00461 (Patent 7,612,805 B2)
IPR2025-00462 (Patent 8,451,339 B2)
IPR2025-00463 (Patent 10,877,266 B2)
IPR2025-00628 (Patent 8,451,339 B2)

Before MIRIAM L. QUINN, GARTH D. BAER, and RUSSELL E. CASS, Administrative Patent Judges.

QUINN, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
37 C.F.R. § 42.74

With our authorization, the parties filed in each of the captioned proceedings a Joint Motion to Terminate[1] and a Joint Request to Keep Separate.[2] With these filings the parties also filed what they describe as "true and correct copies of the settlement and collateral agreements (Exs. 2006–2007) that resolve the disputes between the Parties." Mot. 1; *see* Exs. 2006–2007.

The parties request termination of these proceedings in their entirety. Mot. 3. Under 37 C.F.R. § 42.71(a), the Board may "dismiss any petition," thus terminating a preliminary proceeding. In addition, when the parties seek to terminate a proceeding by submitting a settlement agreement, "[a]ny agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and a true copy shall be filed with the Board." 37 C.F.R. § 42.74(b).

These cases are still in the preliminary proceeding stage, and the Board has not yet decided whether to institute trial. Under these circumstances, we determine that it is appropriate to dismiss the Petitions and terminate these cases without rendering a decision on institution. We also determine that the filed Exhibits 2006 and 2007 appear to be true copies of the agreements that effectuate settlement of the proceedings. Therefore, we grant the Motion.

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[1] Paper 10 in IPR2025-00461; Paper 12 in IPR2025-00462; Paper 10 in IPR2025-00463; and Paper 9 in IPR2025-00628 (hereinafter "Motion" or "Mot.").

[2] Paper 11 in IPR2025-00461; Paper 13 in IPR2025-00462; Paper 10 in IPR2025-00463; and Paper 910 in IPR2025-00628 (hereinafter "Request" or "Req.").

In their Request, "[t]he Parties jointly request that the Board treat [the settlement agreements] as business confidential information and keep [them] separate from the files." Req., 1. We find that the submitted settlement agreements contain confidential business information regarding the terms of the settlement. Exs. 2006–2007. Accordingly, we agree that the settlement agreements should be treated as business confidential information and kept separate from the files of the involved patents, and we grant the Request.

It is

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

FURTHER ORDERED that each of the captioned proceedings are terminated as to all parties;

FURTHER ORDERED that for each captioned proceeding the Joint Request to Keep Separate is *granted* such that the filed settlement agreements (Exs. 2006, 2007) are treated as business confidential information pursuant to 37 C.F.R. § 42.74(c) and remain separate from the files of the involved patents.

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For PETITIONER:

Andrew Sommer
Heath Briggs
Trenton Ward
Brian Prew
Kathryn Albanese
GREENBERG TRAURIG, LLP
sommera@gtlaw.com
briggsh@gtlaw.com
Trenton.ward@gtlaw.com
prewb@gtlaw.com
albanesek@gtlaw.com

For PATENT OWNER:

Thomas Dunham
Robert Molitors
Elizabeth O'Brien
CHERIAN LLP
tom@dunham.cc
rmolitors@cherianllp.com
elizabethho@cherianllp.com