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Paper 9
Date: July 16, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATABRICKS, INC.,
Petitioner,

v.

BYTEWEAVER, LLC.,
Patent Owner.

IPR2025-00714 Patent 6,839,733 B2
IPR2025-00715 Patent 7,949,752 B2
IPR2025-00716 Patent 8,275,827 B2[1]

Before THOMAS L. GIANNETTI, and GEORGIANNA W. BRADEN, *Administrative Patent Judges*.

BRADEN, *Administrative Patent Judge*.

TERMINATION
Termination Due to Settlement
35 U.S.C. § 317; 37 C.F.R. § 42.74

[1] This Order is pertinent to each of the listed cases. The combined caption is for administrative convenience only and does not indicate that the cases have been joined. The parties are not authorized to use this caption absent express permission of the Board.

I. INTRODUCTION

With the Board's authorization, Databrick, Inc. ("Petitioner") and Byteweaver, LLC. ("Patent Owner") (collectively "the Parties") filed joint motions to terminate these cases based on an agreement the Parties reached concerning settlement. Paper 7 ("Joint Motion").[2] Along with the Joint Motions, the Parties filed copies of their confidential settlement agreement (Ex. 1029, "Settlement Agreement"),[3] as well as joint requests that the Settlement Agreement be treated as business confidential information and kept separate from the file in each of these proceedings (Paper 8, "Joint Request").[4] For the reasons that follow, the Joint Motions are *granted*.

II. DISCUSSION

In the Joint Motions, the Parties represent that the Settlement Agreement "resolved their disputes" involving the patent at issue in the above captioned proceeding. Joint Motion 1. The Parties also represent that they have filed a true and accurate copy of the Settlement Agreement in each proceeding and that the Settlement Agreement represents the entire agreement or understanding between the Parties made in connection with, or in contemplation of, the termination of these proceedings. *Id.* at 2. The Parties further represent that the current district court litigation between the Parties regarding these proceedings has been dismissed. *Id.* at 3. Accordingly, the

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[2] For purposes of expediency, we cite to Papers filed in IPR2025-00714 (Paper 7). Petitioner filed a similar Motion in IPR2025-00715 (Paper 7) and IPR2025-00716 (Paper 7).

[3] We cite to Exhibits filed in IPR2025-00714 (Exhibit 1029). Petitioner filed similar Exhibits in IPR2025-00715 (Exhibit 1035) and IPR2025-00716 (Exhibit 1024).

[4] For purposes of expediency, we cite to Papers filed in IPR2025-00714 (Paper 8). Petitioner filed a similar Requests in IPR2025-00715 (Paper 8) and IPR2025-00716 (Paper 8).

Parties jointly request termination of the above-captioned proceedings. *Id.*

The Board generally expects that a case "will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding." Consolidated Trial Practice Guide, 86 (Nov. 2019)[5]; *see* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. Here, the Board has not decided the merits of these proceedings. Under these circumstances, we determine it is appropriate to terminate the proceedings.

In the Joint Requests, the Parties request that the Settlement Agreement be treated as business confidential information and kept separate from the files of the patents at issue in the proceedings. Joint Request 2. After reviewing the Settlement Agreement, we find that it contains confidential business information regarding the terms of settlement. Thus, good cause exists to treat the Settlement Agreement as business confidential information pursuant to 37 C.F.R. § 42.74(c). Therefore, the Parties' request is granted.

In the Joint Request, the Parties also

> request that the Board inform us if anyone seeks production of the agreement and afford the parties an opportunity to address whether such request is supported by good cause.

Joint Request 2. Our regulations, however, do not require the Board to notify the parties of requests for the Settlement Agreement. *See, e.g.*, 37 C.F.R. § 42.74(c). We, therefore, decline to issue an order mandating such action. Thus, the Parties' additional request is denied.

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:

[5] *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated.

ORDERED that the Joint Motions are *granted*;

ORDERED that the proceedings are terminated;

ORDERED that the Joint Requests are granted-in-part to treat the Settlement Agreement (Ex. 1029) as business confidential, keep it separate from the files of U.S. Patent No. 6,839,733 B2, U.S. Patent No. 7,949,752 B2, and U.S. Patent No. 8,275,827 B2, and make it 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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