

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD.,
Petitioner,

v.

PANTECH CORPORATION,
Patent Owner.

IPR2025-00762
Patent 10,863,573 B2

Before THU A. DANG, CHRISTOPHER L. OGDEN, and
JOHN D. HAMANN,
Administrative Patent Judges.

HAMANN, *Administrative Patent Judge.*

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, OnePlus Technology (Shenzhen) Co., Ltd. ("Petitioner") and Pantech Corporation ("Patent Owner") (collectively referred to as "the Parties") filed a Joint Motion to Terminate due to settlement. Paper 29 ("Joint Motion"). In support of the Joint Motion, Patent Owner filed a copy of a confidential settlement agreement (Exhibit 2016, "Settlement Agreement"). In addition, the Parties request via a Joint Motion to Keep Confidential (Paper 30 ("Joint Request")) that the Settlement Agreement be kept confidential pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74 (c).

II. DISCUSSION

The Parties represent that they have reached an agreement (memorialized in the Settlement Agreement) to resolve their disputes. Joint Motion 3. More specifically, the Parties represent that they have reached a settlement as to all the disputes in the proceeding and as to the challenged patent, and that there is no future litigation involving the Parties and the challenged patent contemplated. *Id.* at 4–5.

The Parties also represent that the filed copy of the Settlement Agreements is a true and correct copy. *Id.* at 3. And the Parties represent that "[t]here are no other collateral agreements, whether written or oral, between [them] made in connection with, or in contemplation of, the termination sought." *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 the merits of the proceeding before the request for termination is filed."

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Section 35 U.S.C. § 317(a) also provides that if no petitioner remains in the *inter partes* review, the Office may terminate the review.

We instituted trial in IPR2025-00762 (Paper 10) on October 15, 2025. We have not yet decided the merits in this proceeding, and the final written decision has not been entered. Notwithstanding that the proceeding has moved beyond the preliminary stage, the Parties have shown adequately that the termination of the proceeding is appropriate. Furthermore, there are strong public policy reasons to favor settlement between the parties to a proceeding. *See* Patent Trial and Appeal Board, Trial Practice Guide (Dec. 2025), *available at* <https://www.uspto.gov/patents/ptab/trial-practice-guide>. Under these circumstances, we determine that good cause exists to terminate the proceeding.

As to the Joint Request, we find that the Settlement Agreement contains confidential business information regarding the terms of settlement, and therefore we determine that good cause exists 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) and keep it separate from the files of the challenged patent.

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 Motion to Terminate (Paper 29) is *granted*, and IPR2025-00762 is *terminated* pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72; and

FURTHER ORDERED that the Parties' request via the Joint Motion to Keep Confidential the Settlement Agreement is *granted*, and the

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Settlement Agreement (Exhibit 2016) shall be kept separate from the files of the U.S. Patent Nos. 10,863,573 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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