

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY
LTD. and APPLE INC.

Petitioner,

v.

MARLIN SEMICONDUCTOR LTD.,
Patent Owner.

IPR2025-00847
Patent 7,745,847 B2

Before GARTH D. BAER, BRIAN D. RANGE, and BACH V. HOANG,
Administrative Patent Judges.

RANGE, *Administrative Patent Judge.*

ORDER

*Granting Motion to Terminate as to Apple Inc.
Granting Request to Treat Settlement Agreement
as Business Confidential Information*

*35 U.S.C. § 317
37 C.F.R. §§ 42.72, 42.74(c)*

I. INTRODUCTION

On June 12, 2026, with our authorization, Apple Inc. (“Apple”) and Marlin Semiconductor Ltd. (“Patent Owner”) filed a Joint Motion to Terminate Proceeding with Respect to Apple Inc. and a Joint Request to Treat Settlement Agreement as Business Confidential Information Under 37 C.F.R. § 42.74(c). Paper 23 (“Mot. to Terminate” or “Motion to Terminate”); Paper 24 (“Joint Request”). The parties also filed a copy of their Settlement Agreement. Ex. 2006. For the reasons discussed below, the parties’ Motion is *granted*, and their request to treat the Settlement Agreement as Business Confidential Information is *granted*.

II. DISCUSSION

In the Motion to Terminate, Apple and Patent Owner indicate that they have resolved their dispute regarding the challenged patent here and in district court, and that they have submitted the settlement agreement. *See, e.g.*, Mot. to Terminate 1; *see also* Ex. 2006 (non-public).

The parties request termination of the identified proceeding with respect to Apple, and argue good cause exists to terminate them because they have resolved their disputes. “There are strong public policy reasons to favor settlement between the parties to a proceeding,” and “[t]he Board expects that a proceeding 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)) (“CTPG”).¹

¹ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

We find good cause exists to terminate this proceeding with respect to Apple given the facts outlined above. The Board has yet to issue a final written decision in this proceeding, the parties' have indicated they have settled the disputes between them and have filed a copy of the Settlement Agreement, and the Board favors the settling of disputes as outlined in the Consolidated Trial Practice Guide. *See* 35 U.S.C. § 317; 37 C.F.R. §§ 42.72, 42.74(c), CTPG at 86. Moreover, because the parties' Settlement Agreement (Ex. 2019) contains confidential business information concerning the settlement terms, we find good cause exists to treat the Settlement Agreement as business confidential information and to keep it separate from the files of the patents challenged in each proceeding. *See* 37 C.F.R. § 42.74(c).

This proceeding will continue based on the existing scheduling order with respect to Taiwan Semiconductor Manufacturing Company Ltd. and Patent Owner.

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a) in this proceeding.

III. ORDER

Accordingly, it is

ORDERED that the Motion to Terminate as to Apple is *granted*;

FURTHER ORDERED that the parties' Request to Treat the Settlement Agreement as Business Confidential Information Under 37 C.F.R. § 42.74(c) is *granted*;

FURTHER ORDERED that the Settlement Agreement filed as Exhibit 2006 in this proceeding shall be treated as business confidential

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information and kept separate from the patent file for U.S. Patent
No. 7,748,847 B2;

FURTHER ORDERED that this proceeding is terminated with respect
to Petitioner Apple Inc. *only*.

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FOR PETITIONER:

Joseph Long
Aidan Skoyles
Carlos Duarte-Guevara
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP
jp.long@finnegan.com
aidan.skoyles@finnegan.com
carlos.duarte-guevara@finnegan.com

Walter Renner
Thomas Rozylowicz
Minseung Ahn
FISH & RICHARDSON P.C.
renner@fr.com
rozylowicz@fr.com
ahn@fr.com

FOR PATENT OWNER:

William Meunier
Adam Rizk
Michael Renaud
Michael Dokhanchy
Tawfik Goma
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C.
wameunier@mintz.com
arizk@mintz.com
mtrenaud@mintz.com
rdokhanchy@mintz.com
tawfik@gomalaw.com