

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIG SAUER INC.,
Petitioner,

v.

TRUE VELOCITY, INC.,
Patent Owner.

IPR2025-00861
Patent 8,561,543 B2

Before GRACE KARAFFA OBERMANN, FRANCES L. IPPOLITO, and
ERIC C. JESCHKE, *Administrative Patent Judges*.

IPPOLITO, *Administrative Patent Judge*.

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

I. INTRODUCTION

With the Board's authorization, Petitioner and Patent Owner (collectively referred to as "the Parties") filed a Joint Motion to Dismiss in the above-identified proceeding due to settlement. Paper 7 ("Motion"). In support of the Motion, Petitioner filed a Confidential Settlement Agreement (Ex. 1017 ("Settlement Agreement")), as well as a Joint Request that the Settlement Agreement be treated as business confidential information and be kept separate (Paper 8 ("Joint Request")) pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74.

II. DISCUSSION

In the Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceeding, and the Parties also represent that the filed copy of the Settlement Agreement is a true and complete copy. Motion, 1–2. The Parties also represent that their Settlement Agreement resolves "all disputes between the Parties, including lawsuits and nullity proceedings in the United States and Europe" and that "there are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of this *inter partes* review." *Id.* at 1–3.

This proceeding is at an early stage, and we have not yet decided whether to institute a trial in the proceeding. In view of the early stage of the proceeding and the settlement between the Parties, we determine that good cause exists to terminate the proceeding with respect to the Parties by dismissing the petition.

After reviewing the Settlement Agreement between Petitioner and Patent Owner, we find that the Settlement Agreement contains confidential business information regarding the terms of settlement, which is sufficient to

treat the Settlement Agreement between Petitioner and Patent Owner as business confidential information pursuant to 37 C.F.R. § 42.74(c).

We deny the portion of the Joint Request (Joint Request 1) that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)–(2) for access to the Settlement Agreement, that the parties be notified and provided an opportunity to respond to the requests. Neither the statute nor the rule includes such a requirement.

III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motion to Dismiss is *granted*, and the petition is *dismissed*;

FURTHER ORDERED that the Joint Request to Keep Confidential and Separate is *granted*, and the Settlement Agreement shall be kept separate from the files of Patent 8,561,543 B2 and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c).

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