Trials@uspto.gov
571-272-7822

Paper 16
Date: May 6, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC., AMAZON WEB SERVICES, INC. and AMAZON.COM SERVICES LLC,
Petitioner,

v.

DATONICS, LLC.,
Patent Owner.

IPR2025-00873
Patent 10,984,445 B2

Before KEN B. BARRETT, WILLIAM V. SAINDON, and DAVID COTTA, *Administrative Patent Judges*.

COTTA, Administrative Patent Judge.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

With our prior authorization, the parties filed a Joint Motion to Terminate the instant proceeding on the basis of a settlement reached between the parties. *See* Paper 14 ("Mot."); 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.72, 42.74. The parties also filed a copy of their written settlement agreement (Exhibit 1023), along with a Joint Request to Treat the Settlement Agreement as Business Confidential Information (Paper 15, "Request") under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

In the Joint Motion to Terminate, the parties represent that they have "reached an agreement . . . to resolve their disputes" and that the related district court case between the parties involving the challenged patent has been dismissed. Mot. 1. The parties further state that they filed a "true copy" of their settlement agreement and that the agreement they filed "represents all agreements made in connection with, or in contemplation of, the termination of this proceeding." *Id.* at 4. The parties argue that termination is appropriate because "[b]riefing is not yet complete" and "termination would save significant further expenditure of resources." *Id.*

Generally, "[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." Patent Trial and Appeal Board Consolidated Trial Practice Guide § II.N (Dec. 2025), available at https://www.uspto.gov/patents/ptab/trial-practice-guide. As we have not yet decided the merits of this proceeding, we determine that it is appropriate to terminate the instant proceeding.

In addition, we grant the Joint Request to Keep Confidential and Separate. 35 U.S.C. § 317(b) ("At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential

information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.").

This Decision does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

ORDERED that the parties' request that the settlement agreement (Exhibit 1023) be treated as business confidential information, kept separate from the file of U.S. Patent No. 10,984,445 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the joint motion to terminate is *granted* and the proceeding is hereby *terminated*.

FOR PETITIONER:

J. David Hadden
Brian Hoffman
Saina Shamilov
Kevin McGann
Eric Zhou
Jessica Lin
FENWICK & WEST LLP
dhadden-ptab@fenwick.com
bhoffman-ptab@fenwick.com
sshamilov-ptab@fenwick.com
kmcgann-ptab@fenwick.com
ezhou@fenwick.com
jessica.lin@fenwick.com

FOR PATENT OWNER:

Reza Mirzaie
James Milkey
Philip Wang
RUSS, AUGUST & KABAT
rmirzaie@raklaw.com
jmilkey@raklaw.com
pwang@raklaw.com