

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBALFOUNDRIES U.S., INC. and
GLOBALFOUNDRIES, INC.,
Petitioner

v.

OAK IP LLC,
Patent Owner.

IPR2025-00889
Patent 10,090,395 B2

Before SUSAN L. C. MITCHELL, AARON W. MOORE, and
LILAN REN, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

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

The parties have filed a Joint Motion to Terminate Proceedings and a Joint Motion to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317, along with a copy of the Settlement Agreement. *See* Papers 6, 7; Ex. 2001.

We have not instituted trial in this proceeding. The parties indicate that they have agreed to resolve all disputes between them related to the challenged patent that are pending before the Office and the District Court in the related litigation. *See* Paper 6, 3. Under these circumstances, we determine that it is appropriate to terminate the proceeding.

We find that the Settlement Agreement contains confidential business information regarding the terms of settlement. Accordingly, we determine that good cause exists to treat the Settlement Agreement as business confidential information pursuant to 37 C.F.R. § 42.74(c).

Accordingly, it is:

ORDERED that the Joint Motion to Terminate Proceedings under 35 U.S.C. § 317 and 37 C.F.R. § 42.72 (Paper 6) is *granted*;

FURTHER ORDERED that the Joint Request to Treat Settlement Agreement as Business Confidential Information under 35 U.S.C. § 317(b) (Paper 7) is *granted*; and

FURTHER ORDERED that the Settlement Agreement (Ex. 2001) shall be treated as business confidential information and kept separate from the file of U.S. Patent No. 10,090,395 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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PETITIONER:

Scott Weidenfeller
Anupam Sharma
Peter Chen
Kiersten Choi
COVINGTON & BURLING LLP
sweidenfeller@cov.com
asharma@cov.com
pchen@cov.com
wchoi@cov.com

PATENT OWNER:

Tarek Fahmi
Jonathan Tsao
ASCENDA LAW GROUP, PC
tarek.fahmi@ascendalaw.com
jonathan.tsao@ascendalaw.com