

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REGIONS BANK,
Petitioner,

v.

UNITED SERVICES AUTOMOBILE ASSOCIATION,
Patent Owner.

IPR2025-01326 (Patent 12,159,310 B1)
IPR2025-01356 (Patent 12,211,095 B1)¹

Before MICHAEL R. ZECHER, JAMES. A. TARTAL, ARTHUR M. PESLAK,
and JASON M. REPKO, *Administrative Patent Judges*.²

ZECHER, *Administrative Patent Judge*.

TERMINATION

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

¹ This Decision addresses an issue that is identical in both cases. We, therefore, exercise our discretion to issue one Decision to be filed in each case.

² This is not an expanded panel of the Board. Judges Zecher, Tartal, and Peslak are paneled on IPR2025-01326, and Judges Zecher, Peslak, and Repko are paneled on IPR2025-01356.

I. DISCUSSION

With our authorization, Petitioner, Regions Bank, and Patent Owner, United Services Automobile Association (“USAA”), jointly filed the following in each of the proceedings identified above: (1) a Joint Motion to Terminate Pursuant to 35 U.S.C. § 317(a) (Paper 21, “Mot.” or “Joint Motion”)³; (2) a true copy of the parties’ settlement agreement (Ex. 1085); and (3) a Joint Request to File Settlement Agreement as Business Confidential Information and to Maintain Said Agreement Separate from the Public File Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 22, “Joint Request”). For the following reasons, we *grant* the parties’ Joint Motions to terminate these proceedings and their Joint Requests to file their settlement agreement as business confidential information, and keep it separate from the file of the involved patent.

On February 10, 2026, the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the U.S. Patent and Trademark Office entered a decision granting institution of an *inter partes* review (“IPR”) of (1) claims 1–16 of U.S. Patent No. U.S. Patent No. 12,159,310 B1 (IPR2025-01326, Ex. 1001, “the ’310 patent”); and (2) claims 1–30 of U.S. Patent No. 12,211,095 B1 (IPR2025-01356, Ex. 1001, “the ’095 patent”). IPR2025-01326, Paper 19; IPR2025-01356, Paper 18. Each trial, however, is still in an early stage because the parties have not completed substantive briefing and we have not yet decided the merits.

In the Joint Motion, the parties indicate that termination of these proceedings is appropriate because they “resolved their dispute . . . and have agreed to terminate [these] proceeding[s],” we have “not yet decided the merits of [these]

³ Unless otherwise noted, all citations are to the papers and exhibits filed in IPR2025-01326. Similar papers and exhibits were filed in IPR2025-01356.

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proceeding[s],” and “public policy favors termination.” Mot. 3. The parties represent that they “are concurrently filing a true copy of their Settlement Agreement.” *Id.* at 2. The parties also represent that “[t]here are no other agreements or understandings, oral or written, between [the parties], including any collateral agreements, made in connection with, or in contemplation of, the termination of [these] proceeding[s].” *Id.*

The parties represent that, on February 27, 2026, Fifth Third Bank, National Association (“FTB”) filed copycat Petitions in IPR2026-00277 and IPR2026-00279 that are “materially identical” to the Petitions filed in these proceedings, together with Motions for Joinder requesting joinder to these proceedings. Mot. 5. USAA represents that it already filed papers opposing FTB’s Motions for Joinder and that it intends to file papers requesting that FTB’s Petitions “be discretionarily denied and denied on the merits.” *Id.* The parties also represent that “[t]here is no current parallel litigation between FTB and [USAA].” *Id.*

Based on the parties’ representations, even though USAA already filed Oppositions to FTB’s Motions for Joinder (IPR2026-00277, Paper 8; IPR2026-00279, Paper 8), FTB does not appear to have any one-year time bar constraints for pursuing an IPR of the ’310 patent or the ’095 patent under 35 U.S.C. § 315(b), because there is no current parallel litigation between FTB and USAA involving either of these patents. Moreover, USAA represents that it plans to request both discretionary denial and denial on the merits of FTB’s Petitions as a matter of right. Because those briefing cycles are not yet complete, we are not inclined to hold in abeyance the parties’ Joint Motions to terminate these proceedings, especially given the strong public policy reasons that favor settlement. *See Consolidated Trial Practice Guide at II.N, available at* www.uspto.gov/patents/ptab/trial-practice-guide.

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Under these particular circumstances, we determine that it is appropriate to terminate each trial without rendering a final written decision. *See* 37 C.F.R.

§ 42.72. We also have reviewed the true copy of the parties' settlement agreement, and we determine that good cause exists to treat this settlement agreement as business confidential information, and keep it separate from the file of the involved patents. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' Joint Requests to treat the true copy of their settlement agreement filed in each proceeding as business confidential information, and to keep separate from the file of the involved patent, are *granted*;

FURTHER ORDERED that the following documents shall remain business confidential information, and shall be kept separate from the file of the involved patent: (1) IPR2025-01326, Exhibit 1085; and (2) IPR2025-01356, Exhibit 1088; and

FURTHER ORDERED that the parties' Joint Motions to terminate these proceedings are *granted*.

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