

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GE HEALTHCARE LTD.,
Petitioner,

v.

THE JOHNS HOPKINS UNIVERSITY,
Patent Owner.

IPR2026-00069
Patent 11,938,201 B2

Before DEBRA L. DENNETT, DEVON ZASTROW NEWMAN, and
JAMIE T. WISZ, *Administrative Patent Judges*.

DENNETT, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 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 Terminate the above-identified proceeding due to settlement. Paper 32 (“Joint Motion”). In support of the Joint Motion, the Parties filed a Settlement Agreement (Ex. 1085), as well as a Joint Request to Treat Settlement Agreement as Business Confidential Information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 33 (“Joint Request”)).

II. DISCUSSION

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceeding, and that the filed copy of the Settlement Agreement is a true and complete copy. Joint Motion, 2. The Parties further represent that their Settlement Agreement resolves the dispute involving the above-identified patent at issue in this *inter partes* review proceeding. *Id.* at 1.

The Director instituted a trial on the above-identified proceeding on March 23, 2026. Paper 7. We have not yet decided the merits of the proceeding, and a final written decision has not been entered.

Notwithstanding that the proceeding has moved beyond the preliminary stage, the Parties have shown adequately that the termination of the proceeding is appropriate. Under these circumstances, we determine that good cause exists to terminate the proceeding with respect to the Parties.

The Parties also filed a Joint Request that the Settlement Agreement be treated as business confidential information and be kept separate from the file of the patent involved in this *inter partes* proceeding. Joint Request.

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. We determine that good cause exists 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 Board inform the Parties . . . and afford the parties an opportunity to address whether such request is supported by good cause.” Neither the statute nor the rule includes such a requirement.

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

III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motion to Terminate is *granted*, and the proceeding is *terminated*;

FURTHER ORDERED that the Joint Request to Keep Confidential and Separate is *granted in part* as set forth above, and the Settlement Agreement shall be kept separate from the files of Patent 11,938,201 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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