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Paper 18
Date: April 14, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BE SMARTER LLC and JAMES GUERRA,
Petitioner,

v.

YONDR, INC.,
Patent Owner.

PGR2025-00070
Patent 12,133,078 B2

Before HYUN J. JUNG, FREDERICK C. LANEY, and STEPHEN E. BELISLE, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 327; 37 C.F.R. § 42.74

On April 10, 2026, with the Board's authorization, Petitioner and Patent Owner (collectively referred to as "the Parties") filed a Joint Motion to Terminate in the above-identified proceeding due to settlement ("Joint Motion"). Paper 17. In support of the Joint Motion, the Parties filed a Settlement Agreement ("Settlement Agreement").[1] Ex. 2030.

In the Joint Motion, the Parties jointly move to terminate the above-identified post-grant review proceeding, and the Parties represent that the filed copy of the Settlement Agreement fully resolves all currently pending disputes between the Parties. Joint Motion 2. The Parties also "represent that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding." *Id.*

The Board generally expects that a case "will terminate after the filing of a settlement agreement, unless the Board has already decided the merits." *Consolidated Trial Practice Guide*, 86 (Nov. 2019)[2]; *see* 35 U.S.C. § 327(a); 37 C.F.R. § 42.72. Here, although the Board instituted post-grant review of the challenged patent (Paper 11), the Board has not decided the merits of this proceeding. Under these circumstances, we determine that it is appropriate to terminate this proceeding as to the Parties, without rendering a final written decision.

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 328(a).

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[1] Patent Owner filed the Settlement Agreement as available to the public, and no party requested to treat that agreement as business confidential information or to keep it separate from the patent file.

[2] Available at https://www.uspto.gov/TrialPracticeGuideConsolidated.

ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motion to Terminate is *granted*, and PGR2025-00070 is *terminated* as to Petitioner and Patent Owner pursuant to 35 U.S.C. § 327(a) and 37 C.F.R. § 42.72.

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