

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDIATEK INC. and MEDIATEK USA, INC.,
Petitioner,

v.

BANDSPEED, INC.,
Patent Owner.

Case IPR2015-00237
Patent 7,903,608 B2

Before JAMESON LEE, DAVID C. McKONE, and
MICHELLE N. WORMMEESTER, *Administrative Patent Judges*.

WORMMEESTER, *Administrative Patent Judge*.

DECISION
Joint Motion to Terminate
37 C.F.R. § 42.74

On August 5, 2015, the parties filed a Joint Motion to Terminate this proceeding. Paper 17. The parties represent that “the dispute between the parties has been resolved, and further, the parties have agreed to terminate this *inter partes* review.” *Id.* at 2.

With their Motion to Terminate, the parties filed what they represent is “a true copy of their written agreement as Exhibit 1018.” *Id.* In a concurrently filed Joint Motion to Seal, the parties request that the agreement be treated as business confidential information and be kept separate from the file of the involved patent. Paper 18.

This proceeding is in an early stage. The Board instituted trial on May 4, 2015. Further, no motions are pending. Under these circumstances, we determine that it is appropriate to terminate this proceeding. The Joint Motion to Seal is granted to the extent that it requests that the agreement be treated as business confidential and be kept separate from the patent file under 37 C.F.R. § 42.74(c) but otherwise denied. The request should not have been filed as a “Motion to Seal,” which has other meaning, under 37 C.F.R. § 42.14, with respect to the underlying document in the context of the proceeding, e.g., expungement or made public under certain circumstances.

Accordingly, it is

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

FURTHER ORDERED that the agreement (Ex. 1018) be treated as business confidential information and be kept separate from the file of the involved patent, under 37 C.F.R. § 42.74(c).

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