

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZEPP HEALTH CORPORATION,  
Petitioner,

v.

WORCESTER POLYTECHNIC INSTITUTE,  
THE RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF  
NEW YORK  
Patent Owner.

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IPR2025-00522  
Patent 9,713,428 B2

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Before LINDA E. HORNER, MICHAEL J. FITZPATRICK, and  
JAMES A. WORTH, *Administrative Patent Judges*.

WORTH, *Administrative Patent Judge*.

TERMINATION  
Settlement Before Institution of Trial  
*37 C.F.R. § 42.74*

## I. BACKGROUND

On February 4, 2025, Zepp Health Corporation (“Petitioner”) filed a Petition for *inter partes* review of U.S. Patent No. 9,713,428 B2 (“the ’428 patent,” Ex. 1001). Paper 1. On May 20, 2025, Worcester Polytechnic Institute and The Research Foundation For The State University Of New York (“Patent Owner”) filed a request for discretionary denial (Paper 6), but did not file a preliminary response under 35 U.S.C. § 313.

On June 30, 2025, prior to the Director’s decision on Patent Owner’s request for discretionary denial and prior to our determination of whether to grant the Petition, the parties filed a Joint Motion to Terminate Proceeding (Paper 10, “Joint Motion to Terminate”) in view of a settlement they had reached. Concurrent with the filing of the Joint Motion to Terminate, the parties also filed a Joint Motion requesting that the parties’ settlement agreement (Ex. 1020) be treated as business confidential information and be kept separate from the file of the involved patent. Paper 9. We grant both Motions.

Accordingly, it is:

ORDERED that IPR2025-00522 is terminated pursuant to 37 C.F.R. § 42.74 and no trial is instituted; and

FURTHER ORDERED that the settlement agreement (Ex. 1020) shall be treated as business confidential information and be kept separate from the file of the ’428 patent, 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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Patent 9,713,428 B2

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