

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMAZON.COM, INC., AMAZON WEB SERVICES, INC. and  
AMAZON.COM SICES LLC,  
Petitioner,

v.

ALMONDNET, INC.,  
Patent Owner.

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IPR2025-00545  
Patent 8,494,904 B2

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Before WILLIAM V. SAINDON, JUSTIN T. ARBES, and  
DAVID COTTA, *Administrative Patent Judges*.

COTTA, *Administrative Patent Judge*.

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

With our prior authorization, the parties filed a Joint Motion to Terminate the instant proceeding on the basis of a settlement reached between the parties. *See* Paper 15 (“Mot.”); 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.72, 42.74. The parties also filed a copy of their written settlement agreement (Exhibit 1022), along with a Joint Request to Treat the Settlement Agreement as Business Confidential Information (Paper 16, “Request”) under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

In the Joint Motion to Terminate, the parties represent that they have “reached an agreement . . . to resolve their disputes” and that the related district court case between the parties involving the challenged patent has been dismissed. Mot. 1. The parties further state that they filed a “true copy” of their settlement agreement and that the agreement they filed “represents all agreements made in connection with, or in contemplation of, the termination of this proceeding.” *Id.* at 3–4. The parties argue that termination is appropriate because “[b]riefing is not yet complete” and “termination would save significant further expenditure of resources.” *Id.*

Generally, “[t]he Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.” Patent Trial and Appeal Board Consolidated Trial Practice Guide § II.N (Dec. 2025), available at <https://www.uspto.gov/patents/ptab/trial-practice-guide>. As we have not yet decided the merits of this proceeding, we determine that it is appropriate to terminate the instant proceeding.

In addition, we grant the Joint Request to Keep Confidential and Separate. 35 U.S.C. § 317(b) (“At the request of a party to the proceeding, the agreement or understanding shall be treated as business confidential

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information, shall be kept separate from the file of the involved patents, and shall be made available only to Federal Government agencies on written request, or to any person on a showing of good cause.”).

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

ORDERED that the parties’ request that the settlement agreement (Exhibit 1022) be treated as business confidential information, kept separate from the file of U.S. Patent No. 8,494,904 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the joint motion to terminate is *granted* and the proceeding is hereby *terminated*.

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