

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

ADVANCED CODING TECHNOLOGIES LLC,  
Patent Owner.

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IPR2025-01103  
Patent 8,230,101 B2

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Before THU A. DANG, RUSSELL E. CASS, and BRIAN P. MURPHY,  
*Administrative Patent Judges.*

MURPHY, *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, Apple Inc. (“Petitioner”) and Advanced Coding Technologies LLC (“Patent Owner”) filed a Joint Motion to Terminate Proceeding due to settlement in the above-captioned proceeding. Paper 19 (“Joint Motion”). In support of the Joint Motion, Patent Owner filed a Confidential Settlement Agreement and Confidential Release (Ex. 2005, Ex. 2006 (“Settlement Agreements”)), as well as a Joint Request to Treat Agreement as Business Confidential Information (Paper 20 (“Joint Request”)) pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74.

## II. DISCUSSION

In the Joint Motion, Petitioner and Patent Owner (collectively, “the Parties”) represent that they have resolved their dispute regarding U.S. Patent No. 8,230,101 B2 (Ex. 1001, “the ’101 patent”) including this proceeding and related district court litigation, and that the filed Settlement Agreements are true and correct copies of the Parties’ agreement and contain any and all agreements made in connection with or in contemplation of the requested termination. Joint Motion 1–2.

Under 35 U.S.C. § 317(a), “[a]n inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” Section 317(a) also provides that if no petitioner remains in the *inter partes* review, the Office may terminate the review. *Id.* We instituted trial in the above-captioned proceeding on December 24, 2025. Paper 14. We have not yet decided the merits of this proceeding, and a final written decision has not been entered. The Parties have shown adequately that the termination of this proceeding is appropriate. Joint

Motion 1–3. Under these circumstances, and in view of the fact that the Parties “have reached a resolution as to all the disputes in this proceeding and as to the ’101 Patent,” we determine good cause exists to terminate this proceeding. Joint Motion 2.

The Parties’ Joint Request asks that the Settlement Agreements be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Joint Request 1–2. After reviewing the Settlement Agreements between Petitioner and Patent Owner, we find that the Settlement Agreements contain confidential business information regarding the terms of settlement. We therefore determine that good cause exists to treat the Settlement Agreements between Petitioner and Patent Owner as business confidential information, to keep them separate from the file of the involved patent, and to limit their availability pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Therefore, pursuant to the cited statute and rule, the Parties’ Settlement Agreements shall be kept separate from the file of the ’101 patent and shall be made available only to a Federal Government agency on written request to the Board, or to any other person upon written request to the Board on a showing of good cause.

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 (Paper 19) in the above-captioned proceeding is *granted*, and the above-captioned proceeding is *terminated* pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.72; and

FURTHER ORDERED that the Joint Request to treat Settlement Agreements as business confidential information (Paper 20) is *granted*, and the

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Settlement Agreements (Exhibits 2005 and 2006) shall be kept separate from the file of U.S. Patent No. 8,230,101 B2 and made available only to a Federal Government agency on written request to the Board, or to any other person upon written request to the Board on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

FOR PETITIONER:

W. Karl Renner  
Jennifer Huang  
Kiersten Batzli  
Jeremy Monaldo  
FISH & RICHARDSON P.C.  
axf-ptab@fr.com  
jhuang@fr.com  
batzli@fr.com  
jjm@fr.com

FOR PATENT OWNER:

Peter Lambrianakos  
Vincent Rubino  
Joseph Mercadante  
Julian Pymonto  
FABRICANT LLP  
plambrianakos@fabricantllp.com  
vrubino@fabricantllp.com  
jmercadante@fabricantllp.com  
jpymonto@fabricantllp.com