

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

HANNIBAL IP LLC,
Patent Owner.

IPR2025-01187 (Patent 11,057,896 B2)
IPR2025-01188 (Patent 11,272,535 B2)
IPR2025-01189 (Patent 11,368,911 B2)
IPR2025-01190 (Patent 11,641,661 B2)

Before KARL D. EASTHOM, SHEILA F. McSHANE, KARA L.
SZPONDOWSKI, SHARON FENICK, and JASON M. REPKO,
*Administrative Patent Judges.*¹

PER CURIAM, Administrative Patent Judge

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

¹ This is not an expanded panel. A three-judge panel presides over each proceeding. This Order governs each proceeding. The parties must obtain prior authorization to use this heading style.

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I. INTRODUCTION

With the Board’s authorization, the parties filed a Joint Motion to Terminate *Inter Partes* Review Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 due to settlement of the parties’ disputes. Paper 27 (“Joint Motion”).² With the Joint Motion, the parties filed a copy of their Settlement and License Agreement (Ex. 2009, “Settlement Agreement”) that resolves the disputes between the parties related to the above-identified proceeding. Joint Motion 3. The parties also filed a Joint Request to Treat Settlement Agreement as Business Confidential Information that requests the Board to treat the Settlement Agreement as business confidential information and to keep it separate from the publicly available files in the above-identified proceeding. Paper 28 (“Joint Request”).

II. DISCUSSION

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.” Prior to termination, the parties must file true copies of “[a]ny agreement or understanding between the patent owner and a petitioner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of an inter partes review.” 35 U.S.C. § 317(b).

In the Joint Motion, the parties represent that they have reached an

² Citations are to materials filed in IPR2025-01187. The parties filed substantially identical materials in each of the proceedings. Any reference to a “proceeding” in this Order refers to each of the proceedings.

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agreement to seek termination of the above-identified *inter partes* review proceeding under 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74. Joint Motion 3–4. The Joint Motion and Settlement Agreement collectively indicate that the parties filed all agreements between themselves, including all collateral agreements referred to, made in connection with, or in contemplation of, the termination of this proceeding, as 35 U.S.C. § 317(b) requires.

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) (“Consolidated TPG”)³; *see also* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. The Board has not decided the merits of this proceeding, and this proceeding involves no other parties. Accordingly, under the circumstances present here, it is appropriate to terminate the instant proceeding. *See* 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.72, 42.74.

Further, we find that the Settlement Agreement contains confidential business information regarding the terms of settlement. We determine that good cause exists to treat the Settlement Agreement between the parties as business confidential information and to keep it separate from the publicly available files of the patent in the above-identified proceeding pursuant to 37 C.F.R. § 42.74(c).

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

³ Available at <https://www.uspto.gov/TrialPracticeGuideConsolidated>.

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III. ORDER

For the reasons discussed above, it is
ORDERED that the Joint Motion is *granted* and each proceeding is
terminated; and

FURTHER ORDERED that the Joint Request is *granted*, and that the
Settlement Agreement shall be kept separate from the files of the involved
patents listed in the heading and made available only to Federal Government
agencies on written request, or to any person on a showing of good cause,
pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

FOR PETITIONER:

Joshua Goldberg
Timothy May
Nicholas Cerulli
Chen Zang
Kevin Rodkey
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP
joshua.goldberg@finnegan.com
timothy.may@finnegan.com
nicholas.cerulli@finnegan.com
chen.zang@finnegan.com
kevin.rodkey@finnegan.com

FOR PATENT OWNER:

Brian A. Carpenter
COLE SCHOTZ P.C.
bcarpenter@coleschotz.com