

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLEX PLC,
Petitioner,

v.

CREDO TECHNOLOGY GROUP LTD.,
Patent Owner.

IPR2025-01385 (Patent 10,877,233 B1)
IPR2025-01386 (Patent 11,012,252 B2)
IPR2025-01387 (Patent 11,032,111 B2)¹

Before GREGG I. ANDERSON, GEORGE R. HOSKINS, and
BETH Z. SHAW, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
Granting Joint Request to Treat Settlement Agreement as Business
Confidential Information
37 C.F.R. § 42.74

¹ This Order addresses substantively identical motions filed in each of these three proceedings. We exercise our discretion to issue one Decision to cover all proceedings.

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I. INTRODUCTION

With the Board's authorization, Petitioner Volex plc and Patent Owner Credo Technology Group Ltd. (collectively "Parties") filed a Joint Motion to Terminate due to settlement in each of these three proceedings. *See* Paper 6 ("Joint Motion").² In support of each Joint Motion, the Parties filed a copy of a Settlement Agreement (Ex. 1052 ("Settlement Agreement")), as well as a Joint Request that the Settlement Agreement be Treated as Business Confidential Information (Paper 7 ("Joint Request")) pursuant to 37 C.F.R. § 42.74.

II. DISCUSSION

The Parties represent that they have reached a "settlement of all disputes between the Parties relating to the [respective] Patent" and "the Parties entered into a Settlement Agreement." Paper 6, 1. "The Settlement Agreement between the Parties fully resolves all disputes relating to the [respective] Patent before the district court and the Patent Trial and Appeal Board." Paper 7, 1. The Parties state no other petitioners remain in each proceeding and no final written decision on the merits has been entered. Paper 6, 2.

The Parties further represent that "a true copy of the Parties' Settlement Agreement is being submitted . . . and constitutes the Parties' entire understanding and agreement," and the Parties "certify that there are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of" each proceeding. Paper 6, 3. The

² This Order cites to materials filed in IPR2025-01385. Corresponding materials were filed in IPR2025-01386 and IPR2025-01387.

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Parties request that their Settlement Agreement be treated as business confidential information and be kept separate from the file of the three involved patents. Paper 7, 1.

These proceedings are at an early stage, as we have not yet decided whether to institute a trial. In view of the early stage of these proceedings and the settlement between the Parties, we determine good cause exists to terminate these proceedings.

After reviewing the Settlement Agreement between the Parties, we find it contains confidential business information regarding the terms of settlement. This is sufficient to treat the Settlement Agreement as business confidential information, to keep it separate from the file of each involved patent, and to limit its availability 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).

III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that each Joint Motion to Terminate (Paper 6) is *granted*, each Petition (Paper 1) is *dismissed*, and each proceeding is *terminated*; and

FURTHER ORDERED that each Joint Request (Paper 7) is *granted*, and the Settlement Agreement shall be kept separate from the file of the three involved patents 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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