

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VIVINT SMART HOME, INC. and NRG ENERGY, INC.,  
Petitioner,

v.

MALIKIE INNOVATIONS LIMITED,  
Patent Owner.

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IPR2026-00120  
Patent 11,119,756 B2

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Before KALYAN K. DESHPANDE, *Chief Administrative Patent Judge*.

DECISION  
Settlement Prior to Institution of Trial  
*37 C.F.R. § 42.74*

The parties filed a Joint Motion to Terminate the proceeding due to settlement. Paper 8 (“Joint Motion”). The parties also filed a copy of a confidential settlement agreement (replacement Exhibit 2001, “Agreement”), and a Joint Request (Paper 9, “Joint Request”) that the Agreement be treated as business confidential information and kept separate from the files of the involved patent.<sup>1</sup>

The Joint Motion and Joint Request are granted.

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

Accordingly, it is:

ORDERED that the Joint Request is *granted* and the Agreement shall be kept separate from the files of the involved 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); and

FURTHER ORDERED that the Joint Motion is *granted*, the petition is *dismissed*, and the proceeding is *terminated*.

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<sup>1</sup> The Joint Request states that “[t]he Agreement has been filed for access by the ‘Parties and Director Only,’” but the Agreement was filed as an Exhibit for access by the “Parties and Board.” Joint Request 1. The Board does not provide for a “Parties and Director Only” level of access with respect to confidential information.

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FOR PETITIONER:

Patrick McPherson  
Patrick Muldoon  
Gilbert Greene  
DUANE MORRIS LLP  
pdmcperson@duanemorris.com  
pcmuldoon@duanemorris.com,  
bgreene@duanemorris.com

FOR PATENT OWNER:

Patrick Colsher  
Matt Berkowitz  
Khue Hoang  
Naveed Hasan  
REICHMAN JORGENSEN LEHMAN & FELDBERG LLP  
pcolsher@reichmanjorgensen.com  
mberkowitz@reichmanjorgensen.com  
khoang@reichmanjorgensen.com  
nhasan@reichmanjorgensen.com