

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

HEADWATER RESEARCH LLC,
Patent Owner.

IPR2024-00010
Patent 9,615,192 B2

Before GARTH D. BAER, STEPHEN E. BELISLE, and
RUSSELL E. CASS, *Administrative Patent Judges*.

CASS, *Administrative Patent Judge*.

TERMINATION
Granting Joint Motion to Terminate
After Institution of Trial and
Granting Joint Request to Treat Settlement Agreement
as Business Confidential Information
35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

With Board authorization, Samsung Electronics Co., Ltd. (“Petitioner”) and Headwater Research LLC (“Patent Owner”) filed a Joint Motion to Terminate the above-identified proceeding (“Joint Motion”). Paper 25. The parties also filed a Settlement Agreement (Exhibit 1047) and a Joint Request that we treat the Settlement Agreement as business confidential information and maintain it separate from the publicly available file of U.S. Patent No. 9,615,192 (“the ’192 patent”) (Paper 26, “Joint Request”).

II. DISCUSSION

In the Joint Motion, Petitioner and Patent Owner represent that they have reached a settlement as to all disputes in this proceeding and seek termination of the above-identified proceeding. Joint Motion 1–2. The parties also represent that the filed copy of the Settlement Agreement is a “true copy” of the agreement between the parties related to this proceeding and the ’192 patent, and that “[n]o other agreements, written or oral, exist between or among” them. *Id.* at 2.

The Board generally expects that a case “will terminate after the filing of a settlement agreement, unless the Board has already decided the merits.” Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012); *see* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. We instituted trial in the above-identified proceeding on May 23, 2024. Paper 7. We have not yet decided the merits of the proceeding, and a final written decision has not been entered. Notwithstanding that the proceeding has moved beyond the preliminary stage, Petitioner and Patent Owner have shown adequately that

termination of the proceeding is appropriate. *See* 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.5(a), 42.72.

The parties also request that the Settlement Agreement be treated as business confidential information and be kept separate from the publicly available file of Patent 9,615,192. Joint Request 1–2. After reviewing the Settlement Agreement, we find that it contains confidential business information. We determine that good cause exists to treat the Settlement Agreement as business confidential information pursuant to 35 U.S.C. § 317(b) and 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 the Joint Motion is *granted*, and IPR2024-00010 is *terminated*, pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72; and

FURTHER ORDERED that the Joint Request is *granted*, and the Settlement Agreement (Exhibit 1047) shall be kept separate from the publicly available file of U.S. Patent No. 9,615,192 B2, 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).

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