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Paper 31
Date: December 11, 2013

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INNOLUX CORPORATION
Petitioner

v.

SEMICONDUCTOR ENERGY
LABORATORY CO., LTD.
Patent Owner

Case IPR2013-00065
(Patent 7,923,311)

Before SALLY C. MEDLEY, KARL D. EASTHOM, and KEVIN F. TURNER, *Administrative Patent Judges.*

MEDLEY, *Administrative Patent Judge.*

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

On December 4, 2013, the parties filed a joint motion to terminate this proceeding, along with a true copy of their written settlement and licensing agreements, made in connection with the termination of the instant proceeding, in

accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Papers 25, 28, and 29. The parties also filed a joint request to have their settlement and licensing agreements treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 26.

The joint motion to terminate indicates that Petitioner will no longer participate in the proceeding even if the Board does not terminate the proceeding. Paper 25 at 2. The motion also indicates that all parties to the related litigation have agreed to the dismissal of the litigation and a Rule 41 Stipulation of Dismissal has been filed with the United States District Court for the Central District of California. *Id.* at 2-3; Paper 27. Lastly, the motion indicates that there is no other litigation in any forum or court involving the Patent Owner and the parties who are defendants in the California litigation or the patent at issue in this proceeding.

The Board instituted trial on April 30, 2013. Paper 11. At this juncture of the proceeding, the Board does not have before it full briefing on the trial issues and the Board has not entered a final decision.

Based on the facts of this case, it is appropriate to enter judgment[1] without rendering a final written decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

It is

ORDERED that the joint motion to terminate IPR2013-00065 is *granted*;

FURTHER ORDERED that the proceeding is *terminated;* and

FURTHER ORDERED that the parties' joint request that the settlement and licensing agreements be treated as business confidential information kept separate from the patent file, and made available only to Federal Government agencies on

[1] A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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), is *granted*.

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