

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.,
Petitioner,

v.

INNOVATIVE DISPLAY TECHNOLOGIES LLC,
Patent Owner.

Case IPR2015-00798
Patent 6,886,956

Before MIRIAM L. QUINN, THOMAS L. GIANNETTI, and MICHELLE
N. WORMMEESTER, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

JUDGMENT
Termination of Proceeding
37 C.F.R. § 42.72

On May 20, 2015, the parties filed a joint motion to terminate the instant proceeding pursuant to a settlement agreement. Paper 9. The parties also filed a true copy of their written settlement agreement, 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). Exhibit 1016. Additionally, the parties submitted a joint request to have their settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 7. At the request of the panel, the parties also filed the order of the district court, dismissing with prejudice the district court case against Petitioner. Exhibit 1017.

The instant proceeding is in the preliminary stage. The Board has not determined whether trial will be instituted in the instant request for *inter partes* review of US Patent No. 6,886,956. Further, the deadline to file a patent owner response is almost a month away, and no motions are pending. The parties submit that termination is appropriate because the parties have settled their dispute, and the Board has not entered a decision regarding institution. Paper 9, 2.

Upon consideration of the requests before us, we determine that terminating the instant proceeding with respect to both Petitioner and Patent Owner, at this early juncture, promotes efficiency and minimizes unnecessary costs. Based on the facts of this case, it is appropriate to enter judgment.¹ See 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

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

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Accordingly, it is:

ORDERED that the joint motion to terminate IPR2015-00798 is *granted*;

FURTHER ORDERED that the instant proceeding is hereby *terminated* as to all parties, including Petitioner and Patent Owner; and

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information, kept separate from the patent file, 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), is *granted*.

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