

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHARP CORPORATION, SHARP ELECTRONICS CORPORATION, and
SHARP ELECTRONICS MANUFACTURING COMPANY OF AMERICA,
INC.,
Petitioner,

v.

SURPASS TECH INNOVATION LLC,
Patent Owner.

Case IPR2015-00913
Patent 7,420,550 B2

Before SALLY C. MEDLEY, BRYAN F. MOORE, and
BETH Z. SHAW, *Administrative Patent Judges*.

SHAW, *Administrative Patent Judge*.

JUDGMENT

Granting Motion to Terminate Proceeding and Treat Exhibit 2004
as Business Confidential Information
37 C.F.R. § 42.72

On January 20, 2016, the parties filed a joint motion to terminate the
instant proceeding. Paper 19. In support of the motion, the parties allege

that they have agreed in writing to terminate the proceeding. *Id.* at 1. The parties filed a copy of a Settlement Agreement, which the parties contend is the agreement required under 37 U.S.C. § 317(b). *Id.* at 2; Ex. 2004. The parties request that this Settlement Agreement (Ex. 2004) be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *Id.*

The Board issued a Decision to Institute on September 9, 2015. Paper 9. At this juncture of the proceeding, the Board does not have before it full briefing on the trial issues; the case has not been heard; and the Board has not entered a final decision.

Upon consideration of the joint request before us, terminating the instant proceeding promotes efficiency and minimizes unnecessary costs. Based on the facts of this case, it is appropriate to enter judgment¹ and to treat Exhibit 2004 as business confidential information. *See* 35 U.S.C. §§ 317(a)-(b); 37 C.F.R. §§ 42.72 and 42.74(c).

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 IPR2015-00913 is
granted;

FURTHER ORDERED that the joint request to treat Exhibit
2004 as business confidential information, to be kept separate from the patent
file as specified in 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the instant proceeding is hereby
terminated as to all parties.

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