

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BMW OF NORTH AMERICA, LLC and
BMW MANUFACTURING CO., LLC.,
Petitioner,

v.

INNOVATIVE DISPLAY TECHNOLOGIES LLC,
Patent Owner.

Case IPR2015-00933 (Patent 6,508,563)
Case IPR2015-00934 (Patent 6,886,956)

Before LORA M. GREEN, THOMAS L. GIANNETTI,
MIRIAM L. QUINN, and MICHELLE N. WORMMEESTER,
Administrative Patent Judges.

QUINN, *Administrative Patent Judge.*

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

IPR2015-00933 (Patent 6,508,563)

IPR2015-00934 (Patent 6,886,956)

On July 9, 2015, the parties filed joint motions to terminate the instant proceedings pursuant to a settlement agreement. Paper 6.¹ The parties also filed a true copy of their written settlement agreement, made in connection with the termination of the instant proceedings, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Exhibit 1012. Additionally, the parties submitted joint requests 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. The parties also filed the order of the district court, dismissing with prejudice the district court case against Petitioner. Exhibit 1013.

The instant proceedings are in the preliminary stage. The Board has not determined whether trial will be instituted in Petitioner's requests for *inter partes* review of US Patent Nos. 6,508,563 and 6,886,956. 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 6, 1.

Upon consideration of the requests before us, we determine that terminating the instant proceedings 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.² See 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

¹ The parties filed identical papers in the captioned cases. For ease of reference, this order references the papers filed in IPR2015-00933.

² 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 motions to terminate IPR2015-00933 and IPR2015-00934 are *granted*;

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

FURTHER ORDERED that the parties' joint requests 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), are *granted*.

IPR2015-00933 (Patent 6,508,563)

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