

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMX, LLC and DELL INC.,
Petitioner,

v.

CHRIMAR SYSTEMS, INC.,
Patent Owner.

Case IPR2016-00574
Patent 8,902,760 B2

Before KARL D. EASTHOM, GREGG I. ANDERSON, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION
Termination of AMX, LLC
35 U.S.C. § 317(a)

I. INTRODUCTION

AMX, LLC (“AMX”) and Chrimar Systems, Inc. (“Chrimar”) filed a Motion to Terminate Petitioner AMX, LLC. Paper 29 (“Motion” or “Mot.”). The parties also filed a true copy of a Confidential Settlement Agreement (“Agreement”). Ex. 1041. The parties identified the Agreement as business confidential information and requested that the Agreement be kept separate from the patent file. Paper 30, 1. For the reasons discussed below, the Motion is *granted*.

II. ANALYSIS

No oral hearing has occurred in this proceeding, and we have not made a decision on the merits. AMX and Chrimar indicate that, pursuant to the Agreement, they have settled their dispute regarding U.S. Patent No. 8,902,760 B2. Mot. 1–2. The parties represent that “there is no other agreement, oral or written, between AMX and Chrimar made in connection with, or in contemplation of, the termination of AMX from this proceeding.” *Id.* at 2. Under these circumstances, we determine that it is appropriate to terminate this proceeding as to AMX. *See* 35 U.S.C. § 317(a). This proceeding is not terminated in its entirety, however, because Dell Inc. and Chrimar remain parties to this proceeding. We also determine that it is appropriate to treat the Agreement as business confidential information to be kept separate from the patent file. *See* 35 U.S.C. § 317(b).

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Motion to Terminate Petitioner AMX, LLC is *granted*;

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FURTHER ORDERED that this proceeding is terminated as to AMX, LLC only; and

FURTHER ORDERED that the request to treat the Confidential Settlement Agreement (Ex. 1041) as business confidential information to be kept separate from the patent file is *granted*.

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