

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner,

v.

ONE-E-WAY, INC.,
Patent Owner.

Case IPR2016-01639
Patent 9,282,396 B2

Before DAVID C. MCKONE, ROBERT J. WEINSCHENK, and
JOHN F. HORVATH, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION
Termination of the Proceeding
37 C.F.R. §§ 42.72 and 42.74

I. INTRODUCTION

The parties filed a Joint Motion to Terminate Proceedings. Paper 36 (“Motion” or “Mot.”). The parties also filed what they indicate is a true copy of a Confidential Settlement and License Agreement (Ex. 1018, “Agreement”). The parties identify the Agreement as business confidential information and request that the Agreement be kept separate from the patent file. Paper 37 (“Joint Request”). For the reasons discussed below, the Motion and Joint Request are *granted*.

II. ANALYSIS

We have not made a decision on the merits in this proceeding. The parties indicate that, pursuant to the Agreement, they have settled their dispute regarding U.S. Patent No. 9,282,396 B2. Mot. 1. The parties represent that “[o]ther than as indicated in the Agreement Exhibit 1018, there are no written or oral agreements or understandings, including any collateral agreements, between the parties, including but not limited to licenses, covenants not to sue, confidentiality agreements, or other agreements of any kind, that are made in connection with, or in contemplation of, the termination of this proceeding.” *Id.* Under these circumstances, we determine that it is appropriate to terminate this proceeding. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. 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); 37 C.F.R. § 42.74(c).

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Joint Motion to Terminate Proceedings is *granted*;

FURTHER ORDERED that this proceeding is terminated as to all parties; and

FURTHER ORDERED that the Joint Request to treat the Confidential Settlement and License Agreement (Ex. 1018) as business confidential information to be kept separate from the patent file is *granted*.

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