

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TCL MULTIMEDIA TECHNOLOGY HOLDINGS, LTD.
and TTE TECHNOLOGY, INC.

Petitioners

v.

NICHIA CORPORATION,
Patent Owner

Case IPR2017-01998
Patent 7,855,092 B2
Case IPR2017-01999
Patent 7,901,959 B2
Case IPR2017-02000
Patent 7,915,631 B2
Case IPR2017-02001
Patent 8,309,375 B2¹

Before BRIAN J. McNAMARA, STACEY G. WHITE and
NABEEL U. KHAN, *Administrative Patent Judges*

McNAMARA, *Administrative Patent Judge.*

ORDER AUTHORIZING FILING OF MOTION TO TERMINATE
Conduct of the Proceeding
37 C.F.R. § 42.5

¹ This order is to be filed in each case. The parties are not authorized to use this style heading in any subsequent papers.

IPR2017-01998; IPR2017-01999; IPR2017-02000; IPR2017-02001
Patent 7,855,092 B2; 7,901,959 B2; 7,915,631 B2; 8,309,375 B2

In e-mail correspondence on February 23, 2018, the parties advised the Board that a confidential settlement agreement had been reached in the above identified *inter partes* reviews. The parties may agree to settle any issue in a proceeding pursuant to a written agreement, a copy of which shall be filed with the Board before termination of the trial. 37 C.F.R. § 42.74(a)-(b). Any agreement or understanding between the patent owner and a petitioner, including any collateral agreements referred to in such agreement or understanding made in connection with, or in contemplation of the termination shall be in writing and a true copy of such agreement or understanding shall be filed in the Office before the termination of such proceeding as between the parties. 35 U.S.C. § 317(b). Any such agreement should be filed as a separate exhibit.

These matters are in the preliminary stage. Patent Owner filed a Patent Owner Preliminary Response in each case, but we have not rendered decisions whether to institute a trial. The parties have identified no other related matters. Under these circumstances, it may be appropriate to enter judgment and terminate the proceeding without rendering a final written decision. 37 C.F.R. § 42.72

The parties are authorized to file a Joint Motion to Terminate this proceeding. The Joint Motion to Terminate must update the Board concerning the status of any litigation or proceeding, including, but not limited to proceedings in the U.S. Patent and Trademark Office, involving the subject patent, and advise the Board whether any litigation or proceeding involving the subject patent is contemplated in the foreseeable future.

The Joint Motion to Terminate also must include a copy of any agreement including any collateral agreements referred to in such agreement

IPR2017-01998; IPR2017-01999; IPR2017-02000; IPR2017-02001
Patent 7,855,092 B2; 7,901,959 B2; 7,915,631 B2; 8,309,375 B2

or understanding made in connection with, or in contemplation of the termination of the proceeding or include a statement certifying that there are no such collateral agreements or understandings. A party to a settlement may request that any written agreement be treated as business confidential information and be kept separate from the files of an involved patent. 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c). The request must be filed with the settlement. *Id.*

It is **ORDERED** that the parties are authorized to file a Joint Motion To Terminate the proceeding and a Joint Request That The Settlement Agreement Be Treated As Business Confidential Information.

PETITIONERS:

James M. Glass
Raymond N. Nimrod
QUINN EMANUEL URQUHART & SULLIVAN, LLP
jimglass@quinnemanuel.com
raynimrod@quinnemanuel.com

PATENT OWNER:

Catherine Nyarady
Paul E. Cole
PAUL, WEISS, RIFKIND,
WHARTON & GARRISON LLP
cnyarady@paulweiss.com
dcole@paulweiss.com