

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NFL ENTERPRISES LLC,
Petitioner,

v.

OPENTV, INC.,
Patent Owner.

Case IPR2018-00463
Patent 7,055,169 B2

Before JAMESON LEE, SALLY C. MEDLEY, and
CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

OGDEN, *Administrative Patent Judge*.

JUDGMENT

Termination Due to Settlement
35 U.S.C. § 317 and 37 C.F.R. § 42.72

On July 6, 2018, the parties NFL Enterprises LLC (“NFL”) and OpenTV, Inc. (“OpenTV”) filed a joint motion to terminate the proceeding. Paper 10. According to the joint motion, NFL and OpenTV (through its affiliation with Nagravision S.A.) “have entered into a settlement agreement that resolves all underlying disputes between the parties, including this proceeding.” Paper 11 at 1. The parties filed a copy of the written settlement agreement, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Ex. 2002. The parties also filed a joint request under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) that their agreement be treated as confidential business information. Paper 12. We authorized the filing of these papers by order on June 28, 2018. Paper 10.

We instituted trial for this proceeding on June 13, 2018. At this early stage of the proceeding, we do not have before us full briefing on the trial issues and we have not entered a final decision.

Based on the facts of this case, it is appropriate to terminate the proceeding without rendering a final written decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding is *granted*;

FURTHER ORDERED that the proceeding is *terminated* with respect to both NFL and OpenTV; and

FURTHER ORDERED that the parties’ joint request that the settlement agreement (Ex. 2002) be treated as business confidential information, kept separate from the file of the involved patent, and made available only to Federal Government agencies on written request, or to any

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person on a showing of good cause, under the provisions of 37 C.F.R.
§ 42.74(c), is *granted*.

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