

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

BELL NORTHERN RESEARCH, LLC,
Patent Owner.

Case IPR2020-00698
Patent 7,039,435 B2

Before BRYAN F. MOORE, STACY B. MARGOLIES, and
SCOTT E. BAIN, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
37 C.F.R. § 42.74

On June 8, 2020, the parties filed a Joint Motion to Terminate (Paper 7, “Joint Motion”), settlement agreement (Exhibit 1030, “Agreement”), and a Joint Request to Keep [the Agreement] Separate Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 (Paper 8, “Joint Request”).

In the Joint Motion, the parties state that they have settled their dispute regarding the only claim from the challenged patent addressed in the Petition filed in this proceeding, pursuant to the Agreement. Joint Motion 1. The parties also state that no “public interest or other factors weigh against termination of this proceeding.” *Id.* at 2.

This case is in its preliminary stages and we have not yet decided whether to institute an *inter partes* review in this matter. Accordingly, we have not “decided the merits of the proceeding” prior to the parties’ request for termination. *See* 35 U.S.C. § 317(a). The foregoing factors weigh in favor of granting the Joint Motion. We discern no factors weighing against termination of the proceeding, on this record. Accordingly, we grant the Joint Motion.

Similarly, we determine that, under the circumstances, it is appropriate to treat the Agreement as business confidential information kept separate from the file of the challenged patent. We, therefore, also grant the Joint Request.

ORDER

For the foregoing reasons, it is

ORDERED that the Joint Motion to Terminate is GRANTED, and the proceeding is hereby terminated; and

FURTHER ORDERED that the parties’ Joint Request to Keep Separate is GRANTED, and the Agreement (Ex. 1030) shall be treated as business confidential information and kept separate from the file of the ’435 patent.

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