

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ADOBE INC.,
Petitioner,

v.

SYNKLOUD TECHNOLOGIES, LLC,
Patent Owner.

IPR2020-01301
Patent 9,219,780 B2

Before SALLY C. MEDLEY, LYNNE E. PETTIGREW, and
KRISTI L. R. SAWERT, *Administrative Patent Judges*.

SAWERT, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

On our authorization (Ex. 3001), the parties filed a Joint Motion to terminate this proceeding under 35 U.S.C. § 317 and 37 C.F.R. § 42.72. Paper 12 (“Motion” or “Mot.”). The parties also filed what they indicate is a true and correct copy of their Settlement Agreement and Covenant Not-To-Sue. Ex. 2042 (“Settlement Agreement”). In a Joint Request, the parties identified the Settlement Agreement as business confidential information and requested that the Settlement Agreement be kept separate from the patent file. Paper 13 (“Joint Request”). For the reasons discussed below, the Motion and Joint Request are granted.

II. ANALYSIS

We have not decided the merits of this proceeding. The parties indicate that they have settled their disputes regarding U.S. Patent No. 9,219,780 B2. Mot. 2. The parties represent that they submitted “the Parties’ settlement agreement and any collateral agreements made in contemplation of termination of the proceedings.” *Id.* at 3. Under these circumstances, we determine that it is appropriate to terminate this proceeding. *See* 37 C.F.R. § 42.72. We also determine that it is appropriate to treat the Settlement Agreement as business confidential information to be kept separate from the patent file. *See* 37 C.F.R. § 42.74(c).

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III. ORDER

It is hereby:

ORDERED that the Motion to terminate this *inter partes* review proceeding is *granted*;

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

FURTHER ORDERED that the Joint Request to treat the Settlement Agreement (Ex. 2042) as business confidential information to be kept separate from the patent file is *granted*.

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