

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ADOBE INC.,  
Petitioner,

v.

SYNKLOUD TECHNOLOGIES, LLC,  
Patent Owner.

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IPR2020-01392, IPR2020-01393  
Patent 9,239,686 B2

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

PETTIGREW, *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<sup>1</sup>), the parties filed a Joint Motion to terminate each of these proceedings under 35 U.S.C. § 317 and 37 C.F.R. § 42.72. Paper 11 (“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 12 (“Joint Request”). For the reasons discussed below, the Motion and Joint Request are granted in each proceeding.

## II. ANALYSIS

We have not decided the merits of these proceedings. The parties indicate that they have settled their disputes regarding U.S. Patent No. 9,239,686 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 these proceedings. *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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<sup>1</sup> The cited papers and exhibits are the same in both proceedings.

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### III. ORDER

It is hereby:

ORDERED that the Motion to terminate each of these *inter partes* review proceedings is *granted*;

FURTHER ORDERED that these proceedings are 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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