

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG DISPLAY CO., LTD., SAMSUNG ELECTRONICS CO., LTD.,
AND SAMSUNG ELECTRONICS AMERICA, INC.
Petitioners

v.

SOLAS OLED LTD.
Patent Owner.

Case No. IPR2021-00591
U.S. Patent No. 7,868,880

**JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW WITH
RESPECT TO PETITIONER SAMSUNG DISPLAY ONLY**

Patent Owner Solas Ltd. (“Solas”) and Petitioner Samsung Display Co., Ltd. (“Samsung Display”) have reached a settlement. Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the parties jointly request termination of the *inter partes* review of U.S. Patent No. 7,868,880 (“Patent-in-Suit”), Case IPR2020-00591 with respect to Petitioner Samsung Display only. The settlement agreement does not extend to Co-Petitioners Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc., (collectively, “Other Petitioners”). The Other Petitioners do not oppose this motion, with the understanding that the *inter partes* review will continue with respect to the Other Petitioners. The parties were authorized to file this Joint Motion by the Board (via email) on April 4, 2022.

As required under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true copy of the settlement agreement that resolves the disputes in the above-captioned *inter partes* review relating to the Patent-in-Suit as between Solas and Samsung Display is filed herewith as an exhibit. There are no other collateral agreements between the parties made in connection with, or in contemplation of, the termination sought.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Solas and Samsung Display are concurrently filing a Joint Request to Keep Separate, which asks the Board to treat the settlement agreement as business confidential information, and to keep it separate from the files of this proceeding and the files of the Patent-in-Suit.

I. STATEMENT OF PRECISE RELIEF REQUESTED

The parties jointly request that the Board terminate the *inter partes* review of the Patent-in-Suit, Case IPR2020-00591, with respect to Petitioner Samsung Display only.

II. TERMINATION WITH RESPECT TO SAMSUNG DISPLAY IS APPROPRIATE

Under 35 U.S.C. § 317(a), “[a]n *inter partes* review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” This *inter partes* review is still in its early stages. The Petition was filed on February 23, 2021, Petitioners have not yet filed a reply, and the Board has not yet decided the merits of the proceeding. Accordingly, the Board should terminate with proceeding with respect to Samsung Display.

The lawsuits between Solas and Samsung Display have been dismissed, and Solas and Samsung Display do not contemplate any litigation or proceeding involving the Patent-in-Suit in the foreseeable future.

III. NO FUTURE PARTICIPATION BY SAMSUNG DISPLAY

Samsung Display will not be participating further in this proceeding.

IV. CONCLUSION

Solas and Samsung Display have settled all disputes relating to the Patent-

in-Suit. That settlement does not extend to the Other Petitioners, but the Other Petitioners do not oppose this motion with the understanding that this *inter partes* review will continue with respect to the Other Petitioners. This *inter partes* review is in an early stage, and the Board has not entered a final written decision on the merits in this proceeding. Accordingly, the parties respectfully request that the Board terminate this proceeding with respect to Samsung Display only.

Dated: April 8, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies to 37 C.F.R. §42.6(e) and §42.105 that the above document was served on April 8, 2022 by filing this document through the Patent Trial and Appeal Board End to End system as well as by delivering a copy via electronic mail to the following attorneys of record for the Patent Owner:

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