

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY GROUP CORP. (JAPAN), SONY CORP. OF AMERICA, SONY
INTERACTIVE ENTERTAINMENT LLC, SONY PICTURES
ENTERTAINMENT INC., SONY ELECTRONICS INC., and VERANCE
CORP.,
Petitioner,

v.

MZ AUDIO SCIENCES, LLC,
Patent Owner.

IPR2022-01544
Patent 7,289,961 B2

Before KARL D. EASTHOM, DAVID C. McKONE, and
IFTIKHAR AHMED, *Administrative Patent Judges*.

EASTHOM, *Administrative Patent Judge*.

ORDER

Settlement as to Petitioner Sony Group Corp. (Japan), Sony Corp. of
America, Sony Interactive Entertainment LLC,
Sony Pictures Entertainment Inc., Sony Electronics Inc.
35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

With Board authorization via email (May 4, 2023), Sony Group Corp.
(Japan), Sony Corp. of America, Sony Interactive Entertainment LLC, Sony

Pictures Entertainment Inc., and Sony Electronics Inc., (collectively “Petitioner Sony”), and MZ Audio Sciences, LLC (“Patent Owner”) filed a Joint Motion to Terminate Petitioner Sony pursuant to a settlement. Paper 14 (“Joint Motion”). Petitioner Sony and Patent Owner also filed a copy of their Settlement Agreement (Ex. 1058) and a Joint Request that Settlement Agreement Be Treated as Business Confidential Information and Kept Separate Under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 15 (“Joint Request”).

II. DISCUSSION

In the Joint Motion, Petitioner Sony and Patent Owner represent that they have reached a settlement agreement and jointly seek termination of Petitioner Sony in the trial, that a true copy of the Settlement Agreement has been filed as an exhibit, and that there are no other collateral agreements or understandings. Joint Motion 1–3. Petitioner Sony and Patent Owner also represent that the Settlement Agreement resolves all their disputes relating to the above-identified patent. *Id.* at 2.

A final written decision has not been entered in this proceeding. Petitioner Sony and Patent Owner have shown that termination of Petitioner Sony as a petitioner in the above-identified proceedings is appropriate. Under these circumstances we determine that good cause exists to terminate the trial only as to Petitioner Sony. Verance Corp. remains as Petitioner in this trial.

In the Joint Request, Petitioner Sony and Patent Owner request that the Settlement Agreement be treated as business confidential information and be kept separate from the files of the above-identified patent. Joint Request 1. After reviewing the Settlement Agreement between Petitioner Sony and Patent Owner, we find that the Settlement Agreement contains

confidential business information regarding the terms of settlement. We determine that good cause exists to treat the Settlement Agreement between Petitioner Sony and Patent Owner as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

III. ORDER

Accordingly, for the reasons discussed above, it is ORDERED that the Joint Motion with respect to Petitioner Sony in the above-identified proceeding is *granted*;

FURTHER ORDERED that the trial is *terminated* only with respect to Petitioner Sony;

FURTHER ORDERED that Verance Corp. remains as Petitioner in the trial;

FURTHER ORDERED that the Joint Request is *granted*, and the Settlement Agreement shall be kept separate from the files of the above-identified patent, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that the caption for this trial is as set forth in the attached Exhibit, and the remaining parties shall use this caption in all further filings for this trial.

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PETITIONER:

Richard Giunta
Michael Rader
Babak Tehranchi
Thomas Millikan
Thomas Franklin
rgiunta-ptab@wolfgreenfield.com
mrader-ptab@wolfgreenfield.com
tehranchi-ptab@perkinscoie.com
millikan-ptab@perkinscoie.com
tfranklin-ptab@wolfgreenfield.com

PATENT OWNER:

Sarah Spires
Steven Hartsell
sspires@skiermontderby.com
shartsell@skiermontderby.com

EXHIBIT: Sample Case Caption

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¹ The caption is updated to remove Sony Group Corp. (Japan), Sony Corp. of America, Sony Interactive Entertainment LLC, Sony Pictures Entertainment Inc., and Sony Electronics Inc., (collectively “Sony”), because Sony is no longer a party to this proceeding. *See* Paper 16. The parties shall use this caption (without this footnote) going forward.