

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMERICAN AIRLINES, INC.,  
Petitioner,

v.

ADVANCED TRANSACTION, LLC,  
Patent Owner.

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IPR2023-01366  
Patent 7,065,555 B2

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Before MELISSA A. HAAPALA, *Vice Chief Administrative Patent Judge*,  
MIRIAM L. QUINN, and DEVON ZASTROW NEWMAN,  
*Administrative Patent Judges*.

NEWMAN, *Administrative Patent Judge*.

DECISION

*Granting* Joint Motion to Terminate Proceeding Due to  
Settlement before Institution and  
*Granting* Joint Request to Treat Agreement as  
Business Confidential Information  
*37 C.F.R. § 42.74*

## I. INTRODUCTION

Petitioner and Patent Owner (collectively “the Parties”) have requested that the above-identified *inter partes* review proceeding be terminated pursuant to a settlement. On October 11, 2023, the Parties filed a Joint Motion to Terminate Proceeding in the above-identified proceeding (“Motion”). Paper 6. The Parties previously sought authorization to file the Motion and received that authorization via email on October 11, 2023. Motion 1. The Parties also filed a copy of a settlement and license agreement (Ex. 1012, “Agreement”) and filed a Joint Request to Maintain Confidentiality and to Keep Separate (Paper 7, “Request”).

## II. DISCUSSION

In the Motion, the Parties represent that they have reached an agreement that settles all disputes between them regarding Patent 7,065,555, that the filed copy of the Agreement is “a true, written copy,” and “that there are no other agreements, or understandings, oral or written, between them, including any collateral agreements, made in connection with, or in contemplation of, the termination of this proceeding as set forth in 35 U.S.C. § 317(b).” Motion 1.

We have not yet instituted a trial on the above-identified proceeding, nor have we decided the merits of the proceeding or entered a final written decision. Under these circumstances and in view of the settlement between the Parties, we determine that good cause exists to terminate the proceeding.

The Parties also requested that the Agreement be treated as business confidential information and be kept separate from the files of Patent 7,065,555. Request 1. After reviewing the Agreement, we find that the Agreement contains confidential business information regarding the terms of

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settlement and licensing of Patent 7,065,555. We determine that good cause exists to treat the Agreement between the Parties 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 is *granted*, and IPR2023-01366 is *terminated* with respect to Petitioner and Patent Owner; and

FURTHER ORDERED that the Joint Request is *granted*, and the Agreement shall be kept separate from the file of Patent 7,065,555 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).

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