

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SAMSUNG ELECTRONICS CO., LTD. and  
SAMSUNG ELECTRONICS AMERICA, INC.,  
Petitioner,

v.

IMAGE PROCESSING TECHNOLOGIES LLC,  
Patent Owner.

---

Case IPR2017-00357  
Patent 8,989,445 B2

---

Before JONI Y. CHANG, MICHAEL R. ZECHER, and  
JESSICA C. KAISER, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

DECISION

Granting Parties' Joint Motion to Terminate Trial  
*35 U.S.C. § 317 and 37 C.F.R. § 42.72*

## I. DISCUSSION

On July 20, 2017, the parties filed a Joint Motion to Terminate this proceeding (Paper 20), a true copy of the parties' settlement agreement (Ex. 2004), and a request to treat the settlement agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 21).

The trial is still in its preliminary stages. On May 25, 2017, we entered a decision instituting an *inter partes* review of claims 1, 4, 6, 9, 18, 24, 25, and 27 of U.S. Patent No. 8,989,445 B2 (Ex. 1001, "the '445 patent"). Paper 16. Although we have instituted a trial, Patent Owner, Image Processing Technologies LLC, has not filed a response to the Petition, nor has Petitioner, Samsung Electronics Company, Ltd. and Samsung Electronics America, Inc., filed a reply.

In the Joint Motion to Terminate this proceeding, the parties indicate that they have settled their dispute regarding the '445 patent. Paper 20, 2. According to the parties, terminating this proceeding at this early juncture would promote efficiency, preserve Board resources, and minimize unnecessary costs. *Id.* We agree with the parties in this regard. Consequently, we determine that it is appropriate to terminate the trial without rendering any further decisions. *See* 37 C.F.R. § 42.72.

## II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' request to treat the settlement agreement (Ex. 2004) as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is GRANTED; and

FURTHER ORDERED that the Joint Motion to Terminate this proceeding is GRANTED, and this proceeding is hereby terminated.

IPR2017-00357  
Patent 8,989,445 B2

For PETITIONER:

John Kappos  
Nicholas J. Whilt  
Brian M. Cook  
O'Melveny & Myers LLP  
[jkappos@omm.com](mailto:jkappos@omm.com)  
[nwhilt@omm.com](mailto:nwhilt@omm.com)  
[bcook@omm.com](mailto:bcook@omm.com)

For PATENT OWNER:

Chris Coulson  
Michael Zachary  
Mark Chapman  
Rose Cordero Prey  
Andrews Kurth Kenyon LLP  
[Chris.Coulson@AndrewsKurthKenyon.com](mailto:Chris.Coulson@AndrewsKurthKenyon.com)  
[MichaelZachary@AndrewsKurthKenyon.com](mailto:MichaelZachary@AndrewsKurthKenyon.com)  
[MarkChapman@AndrewsKurthKenyon.com](mailto:MarkChapman@AndrewsKurthKenyon.com)  
[RosePrey@AndrewsKurthKenyon.com](mailto:RosePrey@AndrewsKurthKenyon.com)