

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN MEGATRENDS, INC.,
MICRO-STAR INTERNATIONAL CO., LTD,
MSI COMPUTER CORP.,
GIGA-BYTE TECHNOLOGY CO., LTD., AND
G.B.T., INC.,
Petitioner,

v.

KINGLITE HOLDINGS INC.
Patent Owner

Case IPR2016-00114
Patent 5,937,200

Before GLENN J. PERRY, TREVOR M. JEFFERSON, and
BRIAN J. McNAMARA, *Administrative Patent Judges*.

PERRY, *Administrative Patent Judge*.

DECISION
Termination of Trial
37 C.F.R. § 42.74

Pursuant to our November 23, 2016, email authorization, the parties filed a joint motion to terminate the instant proceeding. Paper 20. We instituted trial (Paper 15) on May 4, 2016, but oral argument (scheduled for January 24, 2017) has not taken place. The joint motion represents that the parties have filed a true copy of their written settlement agreement (Ex. 1021) made in connection with this termination in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Paper 20. The parties also filed a joint request to have their settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 21.

For the reasons provided below, the joint motion to terminate is granted and the instant proceeding is terminated. The joint request that the settlement agreement be treated as business confidential information is also granted.

The parties represent that the following litigations involve the patent at issue in the instant proceeding:

1. *Kinglite Holdings, Inc. v. Micro-Star International Co., Ltd.*, et al., 14-cv-03009 (C.D. Cal.),
2. *Kinglite Holdings, Inc. v. Giga-Byte Technology Co., Ltd.*, et al., 14-cv-04989 (C.D. Cal.),
3. *Kinglite Holdings, Inc. v. Micro-Star International Co., Ltd.*, et al., 15-cv-09612 (C.D. Cal.),
4. *Kinglite Holdings, Inc. v. Giga-Byte Technology Co., Ltd.*, et al., 15-cv-09615 (C.D. Cal.), and
5. *Kinglite Holdings, Inc. v. EliteGroup Computer Systems Co., Ltd.*, et al., 16-cv-00912 (N.D. Cal.).

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The parties further represent that there are no related proceedings currently before the Office involving the patent at issue. Paper 20 at 4.

The settlement agreement “resolve[s] all outstanding claims and litigation involving the Kinglite Patents between Kinglite and AMI.” Ex. 1021 at 1. The settlement agreement also applies to Micro-Star International Co., Ltd., Giga-Byte Technology Co., Ltd., EliteGroup Computer Systems Co., Ltd., and their respective Subsidiaries. We therefore conclude that the settlement agreement applies to all parties. We are not aware of any other parties having an interest in the outcome of this *inter partes* review.

Therefore, it is

ORDERED that the joint motion to terminate is granted and the instant proceeding is terminated; and

FURTHER ORDERED that the request to treat the settlement agreement (Ex. 1021) as business confidential information is granted.

PETITIONER:

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