

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RICOH AMERICAS CORP.,
Petitioner,

v.

ROUND ROCK RESEARCH LLC,
Patent Owner.

Cases IPR2016-00635 (Patent 6,147,405)
IPR2016-00637 (Patent 6,455,935)
IPR2016-00639 (Patent 6,828,683)
IPR2016-00640 (Patent 6,358,801)
IPR2016-00641 (Patent 5,986,347)¹

Before GRACE KARAFFA OBERMANN, SUSAN L. C. MITCHELL, and
MICHELLE N. ANKENBRAND, *Administrative Patent Judges*.

ANKENBRAND, *Administrative Patent Judge*.

ORDER

Dismissing Petitions Pursuant to Settlement
37 C.F.R. §§ 42.71(a), 42.74

¹ This Order addresses issues common to all five proceedings. Thus, we exercise our discretion to issue a single order to be entered in each proceeding.

IPR2016-00635 (Patent 6,147,405) IPR2016-00637 (Patent 6,455,935)
IPR2016-00639 (Patent 6,828,683) IPR2016-00640 (Patent 6,358,801)
IPR2016-00641 (Patent 5,986,347)

On June 28, 2016, pursuant to Board authorization, Petitioner and Patent Owner filed a joint motion to terminate each proceeding identified in the caption. Paper 11.² Along with the motion, the parties filed a copy of a document they describe as their written settlement agreement (*Id.* at 4, 1; Ex. 2001), as well as a separate joint request to treat the settlement agreement as business confidential information. Paper 10; *see* 37 C.F.R. § 42.74(c) (a party to a settlement may request that the settlement agreement be treated as business confidential and be kept separate from the patent file).

The cases are in a preliminary stage, as the Board has not yet determined whether to institute trial. The parties represent in the joint motion that they have settled their dispute and have reached agreement to terminate these *inter partes* reviews, as well as related district court litigation. Paper 11, 2–4. Under these circumstances, we are persuaded that it is appropriate to dismiss the Petition in each proceeding. 37 C.F.R. § 42.71(a). After reviewing the parties’ settlement agreement, we find that the agreement contains confidential business information regarding the terms of settlement and good cause exists to treat the settlement agreement as business confidential information pursuant to 35 U.S.C. § 317(b). This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

² The parties filed substantially similar papers and exhibits in each proceeding. Citations are to IPR2016-00635 as representative unless otherwise indicated.

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IPR2016-00639 (Patent 6,828,683) IPR2016-00640 (Patent 6,358,801)
IPR2016-00641 (Patent 5,986,347)

It is therefore

ORDERED that the joint motion is *granted* and the Petition is dismissed in each proceeding; and

FURTHER ORDERED that the joint request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file, is *granted* in each proceeding.

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IPR2016-00641 (Patent 5,986,347)

IPR2016-00637 (Patent 6,455,935)
IPR2016-00640 (Patent 6,358,801)

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