

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ARM, LTD.  
Petitioner,

v.

GODO KAISHA IP BRIDGE 1  
Patent Owner.

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Case IPR2017-00527  
Patent RE43,729

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Before JUSTIN T. ARBES, GEORGIANNA W. BRADEN, and  
MONICA S. ULLAGADDI, *Administrative Patent Judges*.

ULLAGADDI, *Administrative Patent Judge*.

DECISION  
Termination of the Proceeding  
*37 C.F.R. § 42.72*

## I. BACKGROUND

ARM, Ltd. (“Petitioner”)<sup>1</sup> and Godo Kaisha IP Bridge 1 (“Patent Owner”)<sup>2</sup> filed a Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317. Paper 8 (“Motion” or “Mot.”). The parties also filed a true copy of a settlement agreement (“Agreement”). Ex. 2004. The parties identified the Agreement as business confidential information and requested that the Agreement be kept separate from the patent file under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Mot. 1; Paper 9.

The Board generally expects that a case “will terminate after the filing of a settlement agreement, unless the Board has already decided the merits.” *Office Patent Trial Practice Guide*, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012); *see* 37 C.F.R. § 42.72. Here, the proceeding is still in its early stages as the Board has not issued a decision on institution. Petitioner and Patent Owner indicate that, pursuant to the Agreement, they have settled their dispute regarding U.S. Patent No. RE43,729. Mot. 2. Petitioner and Patent Owner also indicate the parties to the district court litigation have filed a stipulated dismissal as to all claims of U.S. Patent No. RE43,729, and that the suit has been dismissed. *Id.* Under these circumstances, we determine that it is appropriate to terminate this proceeding. *See* 37 C.F.R. § 42.72. We also determine that it is appropriate to treat the Agreement (Ex. 2004) as business confidential information to be kept separate from the patent file. *See* 35 U.S.C. § 317(b).

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<sup>1</sup> Petitioner identifies ARM, Ltd. and ARM, Inc. as the real parties in interest. Paper 2, 3.

<sup>2</sup> In its Mandatory Notices, Patent Owner identifies itself as the owner of U.S. Patent No. RE43,729 and sole real party in interest. Paper 4, 1.

## II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Joint Motion to Terminate Proceeding is *granted*;

FURTHER ORDERED that this proceeding is terminated as to all parties;

and

FURTHER ORDERED that the request to treat the Agreement (Ex. 2004) as business confidential information, kept separate from the patent file of U.S. Patent No. RE43,729, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*.

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Patent RE43,729

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