

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DIODES INCORPORATED,
Petitioner,

v.

NORTH PLATE SEMICONDUCTOR, LLC,
Patent Owner.

Case IPR2018-01196
Patent 7,564,097 B2

Before KEN B. BARRETT, KIMBERLY McGRAW, and
KAMRAN JIVANI, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge*.

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

The parties filed a “Joint Motion to Terminate under 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74 and Joint Request to Keep Papers Separate as Business Confidential Information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).” Paper 7. The parties also filed under seal a copy of a written settlement agreement. Exhibit 2007.

Patent Owner has filed a Preliminary Response in this case, but the Board has not yet issued an institution decision. The parties represent that their settlement agreement resolves all underlying disputes with respect to the challenged patent. Paper 7, 2. Under these circumstances, we determine that it is appropriate to dismiss the Petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). After reviewing the parties’ settlement agreement, we find that the settlement 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 paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

Accordingly, it is

ORDERED that the Petition is *dismissed*;

FURTHER ORDERED that the parties’ settlement agreement (Exhibit 2007) shall be treated as business confidential information and kept separate from the files of U.S. Patent No. 7,564,097 and remain designated as “Parties and Board Only.”

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