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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

INVENSAS CORPORATION,
Patent Owner.

Cases
IPR2018-01265 (Patent 6,054,336)
IPR2018-01266 (Patent 6,566,167 B1)
IPR2018-01267 (Patent 6,825,554 B2)[1]

Before MICHAEL R. ZECHER, LYNNE E. PETTIGREW, and JOHN D. HAMANN, *Administrative Patent Judges*.

ZECHER, *Administrative Patent Judge*.

DECISION
Granting Parties' Joint Motions to Terminate Proceeding
37 C.F.R. §§ 42.71(a) and 42.74

[1] This Decision addresses an issue that is identical in all three cases. We, therefore, exercise our discretion to issue one Decision to be filed in each case.

I. DISCUSSION

On December 13, 2018, the parties jointly filed the following documents in each proceeding identified above: (1) a Joint Motion to Terminate Proceeding (Case IPR2018-01265, Paper 8; Case IPR2018-01266, Paper 8; Case IPR2018-01267, Paper 8); (2) a true copy of the parties' settlement agreement (Case IPR2018-01265, Ex. 1012; Case IPR2018-01266, Ex. 1024; Case IPR2018-01267, Ex. 1024), along with a consent letter (Case IPR2018-01265, Ex. 1013; Case IPR2018-01266, Ex. 1025; Case IPR2018-01267, Ex. 1025); and (3) a joint request to treat both the settlement agreement and the consent letter as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Case IPR2018-01265, Paper 9; Case IPR2018-01266, Paper 9; Case IPR2018-01267, Paper 9).

These proceedings are still in their preliminary stages. Petitioner, Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc., filed a Petition in each proceeding requesting the following: (1) an *inter partes* review of claims 1–3 of U.S. Patent No. 6,054,336 ("the '336 patent") (Case IPR2018-01265, Paper 1); (2) an *inter partes* review of claims 1–12 of U.S. Patent No. 6,556,167 B1 ("the '167 patent") (Case IPR2018-01266, Paper 1); and (3) an *inter partes* review of claims 1–5 of U.S. Patent No. 6,825,554 B2 ("the '554 patent") (Case IPR2018-01267, Paper 1). Patent Owner, Invensas Corporation, filed a Preliminary Response in each proceeding (Case IPR2018-01265, Paper 7; Case IPR2018-01266, Paper 7; Case IPR2018-01267, Paper 7), but we have not issued a decision on institution.

In the Joint Motions to Terminate Proceeding, the parties represent that they have settled all their disputes regarding the '336 patent, the '167 patent, and the

'554 patent. Case IPR2018-01265, Paper 8, 1; Case IPR2018-01266, Paper 8, 1, Case IPR2018-01267, Paper 8, 1. The parties also represent that all three patents were the subject of a district court case, captioned *Invensas Corporation v. Samsung Electronics, Co., Ltd.*, No. 2:17-cv-00670-RWS-RSP (E.D. Tex.), which the parties stipulated to dismiss with prejudice. Case IPR2018-01265, Paper 8, 1; Case IPR2018-01266, Paper 8, 1, Case IPR2018-01267, Paper 8, 1. Under these particular circumstances, we determine that it is appropriate to dismiss all three Petitions without rendering any further decisions, thereby terminating these proceedings. *See* 37 C.F.R. § 42.71(a).

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' requests to treat both the settlement agreement (Case IPR2018-01265, Ex. 1012; Case IPR2018-01266, Ex. 1024; Case IPR2018-01267, Ex. 1024) and the consent letter (Case IPR2018-01265, Ex. 1013; Case IPR2018-01266, Ex. 1025; Case IPR2018-01267, Ex. 1025) as business confidential information under 37 C.F.R. § 42.74(c) are *granted*; and

FURTHER ORDERED that the parties' Joint Motions to Terminate Proceeding are *granted*, and all three Petitions are dismissed resulting in termination of these proceedings.

IPR2018-01265 (Patent 6,054,336)
IPR2018-01266 (Patent 6,566,167 B1)
IPR2018-01267 (Patent 6,825,554 B2)

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