

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AVX CORPORATION,
Petitioner,

v.

SAMSUNG ELECTRO-MECHANICS CO., LTD.,
Patent Owner.

Case PGR2017-00010
Patent 9,326,381 B2

Before SALLY C. MEDLEY, JONI Y. CHANG, and
RAMA G. ELLURU, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

On February 5, 2018, the parties filed a joint motion to terminate the proceeding, along with a true copy of their written settlement agreement, made in connection with the termination of the instant proceeding, in accordance with 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(b). Paper 23; Ex. 1029. The parties also request to have their agreement treated as

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confidential business information under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c). Paper 24. The joint motion requests termination of the proceeding and further explains that there are no other proceedings or litigation involving U.S. Patent No. 9,326,381 B2. *Id.* at 2.

On July 18, 2017, we instituted trial for this proceeding. At this juncture of the proceeding, the Board does not have before it full briefing on the trial issues and the Board has not entered a final decision.

Based on the facts of this case, it is appropriate to enter judgment¹ without rendering a final written decision. *See* 35 U.S.C. § 327(a); 37 C.F.R. § 42.72.

It is

ORDERED that the parties' joint request that the agreement be treated as business confidential information, to be kept separate from the patent file is *granted*;

FURTHER ORDERED that the joint motion to terminate the proceeding is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

¹ A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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PETITIONER:

Michael Houston
Nicholas M. Lagerwall
FOLEY & LARDNER LLP
mhouston@foley.com
nlagerwall@foley.com

PATENT OWNER:

Hosang Lee
Alexander P. Ott
MCDERMOTT WILL & EMERY
hlee@mwe.com
aott@mwe.com