

[Trials@uspto.gov](mailto:Trials@uspto.gov)  
571-272-7822

Paper 8  
Date: March 4, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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QIDONG VISION MOUNTS MANUFACTURING CO., LTD.,  
Petitioner,

v.

VARIDESK LLC,  
Patent Owner.

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Case PGR2019-00020  
Patent 9,924,793

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Before JAMES A. TARTAL, CARL M. DEFREANCO, and  
MICHAEL L. WOODS, *Administrative Patent Judges*.

WOODS, *Administrative Patent Judge*.

DECISION  
Dismissing Petition Pursuant to Settlement  
*37 C.F.R. § 42.71(a)*

### *I. Introduction*

On February 21, 2019, Petitioner, Qidong Vision Mounts Manufacturing Co., Ltd., (“Petitioner”), and Patent Owner, Varidesk LLC (“Patent Owner”), (collectively referred to as “the parties”), filed a Joint Motion to Dismiss Proceeding Pursuant to 37 C.F.R. § 42.71(a). Paper 7 (“Joint Motion to Dismiss”).<sup>1</sup> Along with the Joint Motion to Dismiss, the parties filed a true copy of a Patent License, Settlement, and Release Agreement (Exhibit 1012, “Settlement Agreement”), as well as a Joint Request to Treat Settlement Documents as Business Confidential Information and to Keep Separate under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 6 (“Joint Motion to Keep Confidential”)).

### *II. Discussion*

In the Joint Motion to Dismiss, the parties represent that they have settled their dispute and have reached an agreement to dismiss this post grant review. Paper 6, 3. The parties further represent that the parties have reached settlement resolving their disputes. *Id.* at 3.

This proceeding is at an early stage. Patent Owner has not filed a preliminary response and we have not yet decided whether to institute trial. In view of the early stage of this proceeding, and the settlement between the parties, we determine that it is appropriate to dismiss the petition and terminate the proceeding with respect to both parties. *See* 37 C.F.R. § 42.71(a). Therefore, we *grant* the Joint Motion to Dismiss. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

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<sup>1</sup> Filing of the Joint Motion to Dismiss was authorized in e-mail correspondence from Board personnel on February 19, 2019.

*III. Orders*

It is

ORDERED that the Joint Motion to Dismiss (Paper 7) is *granted*, and the petition is hereby *dismissed* and the proceeding *terminated*; and

FURTHER ORDERED that the Joint Motion to Keep Confidential (Paper 6) is also *granted*, and the Settlement Agreement (Ex. 1012) will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

For PETITIONER:

Patrick J. McCarthy  
John Coy Stull  
GOODWIN PROCTER LLP  
pmccarthy@goodwinlaw.com  
jstull@goodwinlaw.com

For PATENT OWNER:

Adam R. Hess  
Tamatane J. Aga  
VENABLE LLP  
ARHess@venable.com  
TJAga@venable.com