

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHENZHEN HUIDING TECHNOLOGY CO., LTD.,
Petitioner,

v.

SYNAPTICS INCORPORATED,
Patent Owner.

Case IPR2016-00465
Patent 8,952,916 B2

Before JAMESON LEE, BART A. GERSTENBLITH, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

BOUDREAU, *Administrative Patent Judge*.

DECISION

Dismissal of the Petition

35 U.S.C. § 317; 37 C.F.R. §§ 42.5(a), 42.71(a), 42.74(c)

In an Order dated April 4, 2016 (Paper 8), we authorized Patent Owner Synaptics Incorporated and Petitioner Shenzhen Huiding Technology Co., Ltd. (collectively, “the Parties”) to file a joint motion to terminate the instant proceeding with true copies of all their agreements in contemplation of termination and a joint motion to treat the filed copies of agreement as business confidential information under 37 C.F.R. § 42.74(c). Paper 8, 2. On April 7, 2016, the parties filed a Joint Motion to Terminate Proceedings Under 35 U.S.C. § 317 (Paper 9), a copy of a written Settlement Agreement (Ex. 1016), and a Joint Request to Treat Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317 (Paper 10).

This proceeding is in its initial stages: Patent Owner has not yet filed a preliminary response, and we have not instituted a trial. The Parties indicate that they have settled their underlying dispute and have agreed, in the Settlement Agreement, a true and correct copy of which they have filed with their motion, to terminate this proceeding. Paper 9, 1–2. The Parties further indicate that a related district court litigation, captioned *Synaptics Inc. v. Goodix Technology Inc. et al.*, Civil Action No. 3:15-cv-01742, was dismissed by the U.S. District Court for the Northern District of California on March 30, 2016; that the Parties filed a Joint Motion for Termination of Investigation Based on Settlement in a related U.S. International Trade Commission investigation, captioned *In the Matter of Certain Touchscreen Controllers and Products Containing the Same*, Inv. No. 337-TA-957 on March 29, 2016; that no other proceedings concerning the subject patent are contemplated by the Parties in the foreseeable future; that the Settlement Agreement was duly executed by the Parties on March 26, 2016; that the Settlement Agreement is the entire and complete settlement agreement

between the Parties; and that, beyond the Settlement Agreement, there are no other written or oral agreements or understandings, including any collateral agreements, between the Parties, including but not limited to other licenses, covenants not to sue, confidentiality agreements, or other agreements of any kind, that are made in connection with or in contemplation of the termination of the IPR proceeding. *Id.*

Under these circumstances, we determine that it is appropriate to dismiss the Petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

Accordingly, it is

ORDERED that the Parties' Joint Motion to Terminate Proceedings Under 35 U.S.C. § 317 is *granted*;

FURTHER ORDERED that Shenzhen Huiding Technology Co., Ltd.'s Petition for *Inter Partes* Review of U.S. Patent No. 8,952,916 B2 (Paper 2) is *dismissed*, pursuant to 37 C.F.R. §§ 42.5(a) and 42.71(a);

FURTHER ORDERED that the Parties' Joint Request to Treat Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317 is *granted*; and

FURTHER ORDERED that the Settlement Agreement shall be kept separate from the file of the above-referenced patent, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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Patent 8,952,916 B2

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