

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUAWEI TECHNOLOGIES CO. LTD.,
Petitioner,

v.

NOKIA SOLUTIONS AND NETWORKS OY,
Patent Owner.

Case IPR2017-01540
Patent 9,185,688 B1

Before TREVOR M. JEFFERSON, MICHELLE N. WORMMEESTER, and
CHRISTA P. ZADO, *Administrative Patent Judges*.

JEFFERSON, *Administrative Patent Judge*.

DECISION

Granting Joint Motion to Dismiss
37 C.F.R. § 42.71(a)

Granting Request to Treat Settlement Document
as Confidential Business Information
35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c)

On December 22, 2017, the parties filed a joint motion to terminate the instant proceeding pursuant to a settlement agreement. Paper 10. The parties also filed a copy of their settlement agreement (which they refer to as “Exhibit 1100”), made in connection with the termination of the instant proceeding. Ex. 2100.¹ In a concurrently filed paper, the parties jointly request that the settlement agreement be treated as confidential and kept separate from the file of the involved patent under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Paper 11. We authorized the filing of these papers in an e-mail sent on December 22, 2017.

The instant proceeding is in an early stage, and the Board has not determined whether to institute trial. The parties represent that their settlement agreement “represents all agreements made in connection with, or in contemplation of, the termination of this proceeding.” Paper 10, 2. The parties further represent that Exhibit 2100 is “a true and correct copy” of their settlement agreement. *Id.*

In view of the foregoing, we determine that it is appropriate to dismiss the Petition. *See* 37 C.F.R. § 42.71(a) (authorizing the Board to dismiss a petition).

¹ Pursuant to our instructions provided in an e-mail on December 28, 2017, the parties submitted a replacement version of Exhibit 2100 (which they designated as “Replacement Exhibit 1100”). The version of Exhibit 2100 previously filed on December 22, 2017, will be expunged from the record.

Accordingly, it is

ORDERED that the joint motion to terminate the instant proceeding is *granted*, and the Petition is hereby *dismissed*;

FURTHER ORDERED that the parties' joint request that their settlement agreement (Ex. 2100) be treated as business confidential information and kept separate from the file of the involved patent, under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the version of Exhibit 2100 filed on December 22, 2017, is expunged.

FOR PETITIONER:

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