

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,  
Petitioner,

v.

HUAWEI TECHNOLOGIES CO. LTD.,  
Patent Owner.

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Case IPR2017-02076  
Case IPR2017-02077<sup>1</sup>  
Patent 8,531,971 B2

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Before PATRICK M. BOUCHER, JENNIFER MEYER CHAGNON, and  
MICHELLE N. WORMMEESTER, *Administrative Patent Judges*.

BOUCHER, *Administrative Patent Judge*.

DECISION  
Joint Motions to Terminate Proceedings  
*35 U.S.C. § 317, 37 C.F.R. § 42.74*

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<sup>1</sup> The parties are not authorized to use this style of caption.

Pursuant to our authorization, the parties filed Joint Motions to Terminate each of the captioned proceedings on January 18, 2018. Paper 8.<sup>2</sup> The parties represent that they “have executed a settlement agreement that resolves all of their disputes concerning the ’971 Patent.” *Id.* at 1. With each of their Motions to Terminate, the parties filed what they represent is a “true and correct copy of that settlement agreement [as] Exhibit No. 1100.” *Id.* at 2. The parties additionally represent that “the document filed as Exhibit 1100 represents all agreements made in connection with, or in contemplation of, the termination of this proceeding” and that “[a]ll such agreements have been filed with the Board as required by [35 U.S.C.] § 317 and 37 C.F.R. § 42.74(b).” *Id.* The parties also request “that the settlement agreement be treated as business confidential information, be kept separate from the file of the involved patent[], and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).” *Id.*

The Office has not yet decided whether to institute these proceedings. We determine that good cause exists to terminate the proceedings with respect to all parties. After reviewing the parties’ settlement agreement, we find that the settlement agreement contains confidential business information regarding the terms of settlement. We determine that good cause exists to treat the settlement agreement as business confidential information pursuant to 35 U.S.C. § 317(b).

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<sup>2</sup> Citations are to IPR2017-02076.

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It is

ORDERED that the joint Motions to Terminate are *granted*;

FURTHER ORDERED that these proceedings are hereby terminated as to both Petitioner and Patent Owner; and

FURTHER ORDERED that the filed settlement agreement (Ex. 1100 in both proceedings) be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and also remain designated as “Parties and Board Only” in PTAB E2E.

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