

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HP INC.,
Petitioner,

v.

LARGAN PRECISION CO., LTD.,
Patent Owner.

IPR2021-00641
Patent 8,988,796 B1

Before MINN CHUNG, NORMAN H. BEAMER, and
JOHN D. HAMANN *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
37 C.F.R. § 42.74

I. INTRODUCTION

With the Board’s authorization, Petitioner and Patent Owner (collectively “the Parties”) filed a Joint Motion to Terminate Inter Partes Review. Paper 7 (“Joint Motion”). In support of the Joint Motion, the Parties filed a copy of a Stipulation and Order of Dismissal from the U.S. District Court for the Northern District of California. Ex. 1018.

II. DISCUSSION

In the Joint Motion, the Parties represent that “[i]n accordance with the Stipulation, the co-pending litigation has been dismissed with prejudice” and “no dispute remains between the parties as to United States Patent No. 8,988,796, and thus termination of this proceeding is appropriate.” Joint Motion 2. The Parties further represent that “[t]here are no other collateral agreements or understandings made in connection with, or in contemplation of, the termination of this proceeding.” *Id.*

This proceeding is at an early stage, and we have not yet decided whether to institute a trial in the proceeding. In view of the early stage of the proceeding and the settlement between the Parties, we determine that good cause exists to dismiss the petition and terminate this proceeding with respect to the Parties.

In addition, on March 9, 2021, Petitioner HP, Inc. filed a Motion for Joinder, seeking joinder of this proceeding with *Ability Opto-Electronics Co., Ltd. v. Largan Precision Co., Ltd.*, Case IPR2020-01339. Paper 3. In view of the termination of this proceeding, the Motion for Joinder is dismissed as moot.

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motion (Paper 9) is *granted*, and the petition in IPR2021-00641 is dismissed and this proceeding is *terminated*; and

FURTHER ORDERED, that Petitioner's Motion for Joinder (Paper 3) is *dismissed* as moot.

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FOR PETITIONER:

Sasha Rao
Brandon Story
MAYNARD, COOPER & GALE, LLP
srao@maynardcooper.com
bstroy@maynardcooper.com

FOR PATENT OWNER:

Joseph Edell
Kyle Tsui
FISCH SIGLER LLP
Joe.edell.ipr@fischllp.com
Kyle.tsuiWfischllp.com