

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

JENAM TECH, LLC,
Patent Owner.

IPR2023-00929 (Patent 11,050,856 B1)
IPR2023-00930 (Patent 11,050,856 B1)
IPR2023-00931 (Patent 11,064,058 B1)
IPR2023-00932 (Patent 11,064,058 B1)¹

Before SHARON FENICK, SCOTT B. HOWARD, and STEPHENE. BELISLE,
Administrative Patent Judges.

HOWARD, *Administrative Patent Judge.*

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

¹ This Order applies to all of the captioned proceedings. These cases have not been consolidated or joined. We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

I. INTRODUCTION

With the Board’s authorization, Petitioner and Patent Owner (collectively referred to as “the Parties”) filed Joint Motions to Terminate the above-identified *inter partes* review proceedings due to settlement (“Joint Motion”). Paper 10.² In support of the Joint Motions, the Parties filed Confidential Settlement and License Agreements (Ex. 1091 (“Settlement Agreement”)), as well as Joint Requests to Treat the Settlement Agreement as Business Confidential Information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 11 (“Joint Request”)), in each of the above-identified proceedings.

II. DISCUSSION

In each Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceedings, and that the filed copies of the Settlement Agreements are true and complete copies. Joint Motion 2–3. The Parties further represent that their settlement agreements resolve all currently pending Patent Office and District Court proceedings between the Parties involving the above identified patents at issue. *Id* at 2.

The above-identified proceedings are at early stages, and we have not yet decided whether to institute trials in the proceedings. In view of the early stage of the proceedings and the settlement between the Parties, we determine that good cause exists to terminate the above-identified proceedings with respect to the Parties.

² For expediency, we cite to the Papers filed in IPR2023-00929, unless otherwise indicated. Similar Papers and Exhibits were filed in IPR2023-00930, IPR2023-00931, and IPR2023-00932.

IPR2023-00929; IPR2023-00930 (Patent 11,050,856 B1)
IPR2023-00931; IPR2023-00932 (Patent 11,064,058 B1)

The Parties also filed a Joint Request that the Settlement Agreements be treated as business confidential information and be kept separate from the file of the respective patents involved in each of the above-identified *inter partes* proceedings. Joint Request 2. After reviewing the Settlement Agreements between Petitioner and Patent Owner, we find that the Settlement Agreements contain confidential business information regarding the terms of settlements. We determine that good cause exists to treat the Settlement Agreements between Petitioner and Patent Owner as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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 Motions to Terminate are *granted*, and the proceedings in IPR2023-00929, IPR2023-00930, IPR2023-00931, and IPR2023-00932 are *terminated*; and

FURTHER ORDERED that the Joint Requests to Treat the Settlement Agreement as Business Confidential Information are *granted*, and the Settlement Agreements for IPR2023-00929 and IPR2023-00930 shall be kept separate from the file of Patent 11,050,856 B1, and the Settlement Agreements for IPR2023-00931 and IPR2023-00932 shall be kept separate from the file of Patent 11,064,058 B1, and the Settlement Agreements shall 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).

IPR2023-00929; IPR2023-00930 (Patent 11,050,856 B1)
IPR2023-00931; IPR2023-00932 (Patent 11,064,058 B1)

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