

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

WAVELYNX TECHNOLOGIES CORP.,  
Petitioner,

v.

ASSA ABLOY AB,  
Patent Owner.

---

IPR2023-01018  
Patent 8,943,562 B2

---

Before TERRENCE W. McMILLIN, KRISTIL R. SAWERT, and  
SCOTT RAEVSKY, *Administrative Patent Judges*.

RAEVSKY, *Administrative Patent Judge*.

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

## I. INTRODUCTION

With the Board's authorization, Petitioner WaveLynx Technologies Corp. and Patent Owner ASSA ABLOY AB (collectively, "the parties") filed a Joint Motion to Terminate in the above-identified proceeding. Paper 4 ("Joint Motion"). In support of the Motion, the parties filed a copy of a Settlement Agreement (Ex. 1032) and a Joint Request That Settlement Agreement be Treated as Business Confidential Information pursuant to 35 U.S.C. § 317(b). Paper 6 ("Joint Request").

## II. DISCUSSION

In the Joint Motion, the parties represent that have settled their dispute and executed a settlement agreement to terminate the above-identified *inter partes* review proceeding. Joint Motion 1. The parties represent that the filed copy of the Settlement Agreement is a true and complete copy. *Id.* The parties also represent that "there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of this proceeding." *Id.* The Settlement Agreement indicates that the parties have resolved their disputes and the litigation between them involving the above-identified patent at issue. Ex. 1032.

This proceeding is at an early stage, and we have not yet decided whether to institute trial. In view of the early stage of the proceeding and the settlement between the parties, which resolves all disputes involving the parties and the above-identified patent at issue, we determine that good cause exists to terminate the proceeding.

In the Joint Request, the parties request that the Settlement Agreement be treated as business confidential information and be kept separate from the files of the above-identified patent at issue. Joint Request 1. After

reviewing the Settlement Agreement between the parties, 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 between the parties as business confidential information pursuant to 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 Motion to Terminate is *granted*;

FURTHER ORDERED that the Petition (Paper 1) is *dismissed* and the preliminary proceeding is *terminated*; and

FURTHER ORDERED that the Joint Request to Treat the Settlement Agreement as Business Confidential Information is *granted*, and the Settlement Agreement (Ex. 1032) be treated as business confidential information pursuant to 37 C.F.R. § 42.74(c), be kept separate from the file of U.S. Patent No. 8,943,562 B2, and also remain designated as available only to “Parties and Board” in the Board’s P-TACTS system.

IPR2023-01018  
Patent 8,943,562 B2

FOR PETITIONER:

Thatcher A. Rahmeier  
Zachary D. Wawrzyniakowski  
FAEGRE DRINKER BIDDLE & REATH LLP  
thatcher.rahmeier@faegredrinker.com  
zachary.wawrzyniakowski@faegredrinker.com

FOR PATENT OWNER:

Dion M. Bregman  
MORGAN, LEWIS & BOCKIUS LLP  
dion.bregman@morganlewis.com