

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC. and AMAZON.COM SERVICES LLC,
Petitioner,

v.

LIGHTGUIDE, INC.,
Patent Owner.

IPR2024-00141
Patent 7,515,981 B2

Before KEVIN C. TROCK, SHARON FENICK, and
ANDREAS BALTATZIS, *Administrative Patent Judges*.

TROCK, *Administrative Patent Judge*.

DECISION

Settlement Prior to Institution of Trial
Granting Request to File Settlement Agreement
as Business Confidential Information
37 C.F.R. §42.74

I. INTRODUCTION

On February 12, 2024, with the Board’s authorization, Petitioner and Patent Owner (collectively, “the Parties”) filed a Joint Motion to Terminate this *inter partes* review proceeding. Paper 6 (“Joint Motion”). Along with the Joint Motion, the Parties filed copies of a long and short form of a Settlement Agreement. Exs. 1028, 1029 (“Settlement Agreement”). The Parties jointly request to file the Settlement Agreement as business confidential information and keep it separate from the file of U.S. Patent No. 7,515,981 B2 (“the ’981 patent”). Paper 7 (“Joint Request”).

II. DISCUSSION

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceeding. Joint Motion 1. The Parties also represent that they have filed a true copy of the Settlement Agreement (*id.*) and that “there are no other agreements or understandings, oral or written, between the parties, including any collateral agreements, made in connection with, or in contemplation of, the termination of the present 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 terminate the proceeding with respect to the Parties.

The Parties also filed a Joint Request that the Settlement Agreement: “(i) be treated as business confidential information, (ii) be maintained separate from the publicly available file of the involved patent, and (iii) shall be made available only to Federal Government agencies on written request,

or to persons showing good cause on written request, pursuant to 37 C.F.R. § 42.74(c).” Joint Request 5.

We have reviewed the Settlement Agreement, which contains confidential business information regarding the settlement terms, and we determine that good cause exists to treat the Settlement Agreement as business confidential information pursuant to 37 C.F.R. § 42.74(c) and keep it separate from the files of the ’981 patent and this proceeding. Accordingly, we grant the Parties’ Joint Request.

III. ORDER

Accordingly, it is

ORDERED that the Joint Motion to terminate (Paper 6) is *granted*, and IPR2024-00141 is *terminated* with respect to Petitioner and Patent Owner; and

FURTHER ORDERED that the Parties’ joint request to treat the Settlement Agreement as business confidential information (Paper 7) is *granted*, and the Settlement Agreement (Exs. 1028, 1029) shall be kept separate from the file of U.S. Patent No. 7,515,981 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c).

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