

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BESTBUY.COM, LLC; DILLARD'S INC.; KOHL'S DEPARTMENT
STORES, INC.; OFFICE DEPOT, INC.; OFFICE MAX, INC.;
TARGET CORP.; VICTORIA'S SECRET DIRECT
BRAND MANAGEMENT, LLC;
WALGREEN CO.; AND WAL-MART STORES, INC.,
Petitioner,

v.

PI-NET INTERNATIONAL, INC.,
Patent Owner.

Case CBM2014-00089
Patent 8,346,894 B2

Before, KARL D. EASTHOM, WILLIAM V. SAINDON, and
BRIAN J. McNAMARA, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

JUDGMENT
TERMINATION OF THE PROCEEDING

37 C.F.R. § 42.73

The parties have requested that this trial proceeding be terminated pursuant to a settlement between the Patent Owner and each individual petitioner entity. On July 2, 2014, the Board authorized the parties to file a Joint Motion to Terminate and a Joint Request to File the Settlement as Business Confidential under 37 C.F.R. 42.74(c). Paper 12. On July 21, 2014, the parties filed a Joint Motion Terminate and a Joint Request to Keep Separate (“Seal”) concerning the settlement agreements, Paper Nos. 13, 14. See 35 U.S.C. § 327(b); 37 C.F.R. § 42.74. With their Joint Motion to Terminate and Seal, the parties also filed a copy of a written settlement agreement with each petitioner entity. Ex. Nos. 1036-1043.

The parties have moved to terminate this proceeding in view of their settlement of their underlying litigation. A decision by the Board to institute a trial has not yet been entered. Thus, this matter was in the preliminary stages at the time the parties moved to terminate. U.S. Patent 8,346,894 B2, which is the subject of this proceeding, is also the subject of CBM2014-00097, CBM2014-00101, IPR2014-00413 and IPR2014-00414. Those proceedings will not be affected by the termination of this covered business method patent review. Under these circumstances, the Board determines that it is appropriate to enter judgment¹ and terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated;

FURTHER ORDERED that the parties’ joint request that the settlement agreements be treated as business confidential information which shall be kept

¹ A “judgment” means a final written decision by the Board or a termination of a proceeding. 37 C.F.R. § 42.2.

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separate from the file of the involved patents under the provisions of
35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

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