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Paper 19
Entered: November 24, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CALLIDUS SOFTWARE INC.
Petitioner

v.

VERSATA SOFTWARE, INC. and
VERSATA DEVELOPMENT GROUP, INC.
Patent Owner

Cases CBM2013-00052 (Patent 7,904,326 B2)
CBM2013-00053 (Patent 7,958,024 B2)
CBM2013-00054 (Patent 7,908,304 B2)
CBM2014-00117 (Patent 7,908,304 B2)
CBM2014-00118 (Patent 7,958,024 B2)

Before HOWARD B. BLANKENSHIP, SALLY C. MEDLEY, and KEVIN F. TURNER, *Administrative Patent Judges.*

MEDLEY, *Administrative Patent Judge.*

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

On November 13, 2014, the parties informed the Board that the parties had

settled the proceedings, along with the related District Court case, and that the parties sought authorization to file a joint motion to terminate the proceedings. On November 19, 2014, and pursuant to 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74, the parties filed a joint motion to terminate each proceeding. *See, e.g.*, CBM2013-00052, Paper 49. In the joint motion, the parties represent that the settlement agreement filed is a true copy and resolves all Patent Office and District Court proceedings between the parties, including related case *Versata Software, Inc. v. Callidus Software, Inc.*, Civ. A. No. 1:12-cv-00931-SLR (D. Del.). *Id.* at 3. According to the motions, no other party has petitioned for a covered business method patent review or an *inter partes* review with respect to any of the involved patents and none of the patents are involved in any litigation or any other proceeding.

These covered business method patent reviews were instituted for the involved patents based solely upon Petitioner's assertion that certain claims in the involved patents are unpatentable under 35 U.S.C. § 101. While three of these proceedings are in the late stages of trial, no final written decision has been made in any proceeding. Based on the facts of these cases, it is appropriate to enter judgment.[1] Therefore, the joint motions to terminate the proceedings are *granted*.

Accordingly, it is

ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file

[1] A judgment means a final written decision by the Board, or a termination of a

is *granted*; and

FURTHER ORDERED that the joint motions to terminate the proceedings are *granted*; and

FURTHER ORDERED that the proceedings are *terminated*.

proceeding. 37 C.F.R. § 42.2.

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