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Paper No. 15
Entered: February 27, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JP MORGAN CHASE & CO., and
JP MORGAN CHASE BANK, N.A.,
Petitioner,

v.

MAXIM INTEGRATED PRODUCTS, INC.,
Patent Owner.

Case CBM2014-00179
Patent 5,940,510

Before TREVOR M. JEFFERSON, MITCHELL G. WEATHERLY, and KERRY BEGLEY, *Administrative Patent Judges*.

BEGLEY, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
35 U.S.C. § 327(a) and 37 C.F.R. § 42.72

On February 25, 2015, Petitioners JP Morgan Chase & Co. and JP Morgan Chase Bank, N.A (collectively, "Chase") and Patent Owner Maxim Integrated Products, Inc. ("Maxim") filed a Joint Motion to Terminate this proceeding pursuant to 35 U.S.C. § 327. Paper 13. Along with the motion, the parties filed a copy of their Settlement Agreement, made in connection with the termination of the proceeding, in accordance with 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(b). Ex. 2006. The parties also submitted a Joint Request to have the Settlement Agreement treated as business confidential information under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c). Paper 14. For the reasons set forth below, the Joint Motion to Terminate and the Joint Request are granted.

In their Joint Motion to Terminate, the parties indicate that they have settled all disputes between them involving the patent-at-issue in this proceeding, U.S. Patent No. 5,940,510. Paper 13. In particular, the parties represent that the Settlement Agreement resolves their dispute in this proceeding and the related district court case. *Id.*; *see* Ex. 2004.

This trial is in its initial stages. We instituted trial in this proceeding on February 20, 2015—just five days before the parties filed the present motion to terminate. Paper 11. Therefore, Maxim has not filed a Patent Owner Response, Chase has not filed a Reply, and the Board has not held an oral hearing in this proceeding.

Generally, the Board expects that "a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding." Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012); *see* 37 C.F.R. § 42.72. Upon

consideration of the facts before us, we determine that it is appropriate to terminate this trial without rendering a final written decision, and to enter judgment. *See* 37 C.F.R. § 42.72.

ORDER

For the foregoing reasons, it is:

ORDERED that the Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 327 is *granted*; and

FURTHER ORDERED that the Joint Request to File Settlement Agreement as Business Confidential Information Under 35 U.S.C. § 327(b) is *granted*.

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