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Paper 15
Entered: June 25, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE, INC.,
Petitioner,

v.

CONTENTGUARD HOLDINGS, INC.,
Patent Owner.

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Case CBM2015-00045
Patent 8,583,556 B2

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Before JAMESON LEE, JENNIFER S. BISK,
and BARBARA A. PARVIS *Administrative Patent Judges.*

LEE, *Administrative Patent Judge*.

# DECISION
Termination of Proceeding
on Joint Motion to Terminate
*37 C.F.R. §§ 42.71(a), 42.72, 42.74*

On June 22, 2015, Petitioner ("Google") and Patent Owner ("ContentGuard") filed a Joint Motion to Terminate Proceeding including a request to keep the agreement between them, filed as Exhibit 2013 also on June 12, 2015 (designated as "Parties and Board Only"), as business confidential information under 37 C.F.R. § 327(b) and 37 C.F.R. § 42.74(c). Paper 14 ("Joint Motion" or "Mot.").

In their Joint Motion, the parties request termination of the instant proceeding because they have settled their dispute with regard to U.S. Patent No. 8,583,556 B2 ("the '556 patent"), and because the Office has not yet instituted trial in this proceeding. Mot. 3.

Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement, if the settlement agreement includes all parties to the proceeding. *See*, *e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). The parties filed such a settlement agreement. Ex. 2013. The Joint Motion represents that the settlement resolved the dispute between the parties with respect to the '556 patent, both in this proceeding and related district court litigation. Mot. 3.

We are persuaded that, under these circumstances, it is appropriate to terminate this preliminary proceeding with respect to both Google and ContentGuard, without deciding whether or not to institute a covered business method patent review. *See* 37 C.F.R. §§ 42.71(a), 42.72.

ORDER

It is

ORDERED that the Joint Motion is *granted*;

FURTHER ORDERED that this proceeding is terminated with respect to both Google and ContentGuard; and

FURTHER ORDERED that the parties' agreement, Exhibit 2013, will be kept as confidential business information under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c).

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