

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FEDEX OFFICE AND PRINT SERVICES, INC.,
Petitioner

v.

CDR PRINTING LLC,
Patent Owner.

Case CBM2015-00093
Patent No. 7,271,929

Before MICHAEL W. KIM, TRENTON A. WARD, and BETH Z. SHAW,
Administrative Patent Judges.

SHAW, *Administrative Patent Judge.*

JUDGMENT
Termination of Proceeding
37 C.F.R. § 42.72

On June 25, 2015, the parties filed a joint motion to terminate the instant proceeding. CBM2015-00093, Paper 6. In support of the motion, the parties allege that they have agreed in writing to terminate this proceeding and the related district court litigation regarding the '929 patent. *Id.* at 1. The parties filed a copy of a Dismissal Agreement, which the parties contend constitutes the written agreement required under 37 C.F.R. § 42.74(b). Ex. 1008. The Dismissal Agreement states that “the Parties now desire to dispose of the dispute between them in the Lawsuit, the CBM, and the IPR.” *Id.* at 2.

Petitioner filed the Petition in this proceeding on March 3, 2015. Patent Owner has not yet filed a Preliminary Response, which is due on or before July 18, 2015. No decision whether to institute a trial has been made.

Upon consideration of the request before us, terminating the instant proceeding promotes efficiency and minimizes unnecessary costs. Based on the facts of this case, it is appropriate to enter judgment.¹ See 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

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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Accordingly, it is:

ORDERED that the joint motion to terminate CBM2015-00093 is
granted; and

FURTHER ORDERED that the instant proceeding is hereby
terminated as to all parties.

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