

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN FAMILY MUTUAL INSURANCE COMPANY;
DILLARDS, INC.; DOLLAR GENERAL CORPORATION;
FAMILY DOLLAR STORES, INC.; HALLMARK.COM, LLC;
DOLLAR THRIFTY AUTOMOTIVE GROUP, INC.,
DOLLAR RENT A CAR, INC., and THRIFTY, INC.,
Petitioner,

v.

EMG TECHNOLOGY, LLC,
Patent Owner.

Case CBM2016-00001 (Patent 7,194,698)
Case CBM2016-00002 (Patent 7,194,698)
Case CBM2016-00004 (Patent 6,600,497)¹

Before KALYAN K. DESHPANDE, GLENN J. PERRY, and
TREVOR M. JEFFERSON, *Administrative Patent Judges*.

JEFFERSON, *Administrative Patent Judge*.

DECISION

Termination of the Proceeding
35 U.S.C. § 327(a) and 37 C.F.R. §§ 42.72 and 42.74

¹ This Order addresses termination requests that are identical in the listed cases. We exercise our discretion to issue a single paper to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers.

CBM2016-00001 Patent 7,194,698
CBM2016-00002 Patent 7,194,698
CBM2016-00004 Patent 6,600,497

I. DISCUSSION

On March 22, 2016, the parties filed a Joint Motion to Terminate these proceedings (Paper 11 (CBM2016-0001), Paper 13 (CBM2016-00002), Paper 12 (CBM2016-00004)) a true copy of the parties' settlement agreement (Ex. 1027 (CBM2016-00001 and CBM2016-00004), Ex. 1021 (CBM2016-00002)), and a Joint Motion To File Settlement Agreement As Business Confidential Information (Paper 12 (CBM2016-0001), Paper 14 (CBM2016-00002), Paper 13 (CBM2016-00004)) request to treat the settlement agreement as business confidential information under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c).

These proceedings are still in the preliminary stages. In response to the Petition (Paper 7 (CBM2016-0001), Paper 8 (CBM2016-00002), Paper 7 (CBM2016-00004)), Patent Owner, EMG Technology, LLC, filed a Preliminary Response (Paper 10 (CBM2016-0001), Paper 12 (CBM2016-00002), Paper 11 (CBM2016-00004)). However, we have not considered the merits of the Petitions nor entered a decision whether or not to institute a covered business method review.

In the Joint Motion to Terminate this proceeding, the parties represent that they have settled their disputes regarding U.S. Patent No. 7,194,698 (Paper 11, 1 (CBM2016-00001), Paper 13, 1 (CBM2016-00002)) and U.S. Patent No. 6,600,497 (Paper 12, 1 (CBM2016-00004)). Paper 9, 2. Under these circumstances, we determine that it is appropriate to terminate these proceedings without rendering any further decisions. See 37 C.F.R. § 42.72.

CBM2016-00001 Patent 7,194,698
CBM2016-00002 Patent 7,194,698
CBM2016-00004 Patent 6,600,497

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' request to treat the settlement agreement Ex. 1027 (CBM2016-00001 and CBM2016-00004), Ex. 1021 (CBM2016-00002) as business confidential information under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c) is GRANTED; and

FURTHER ORDERED that the Joint Motion to Terminate the proceedings in CBM2016-00001, CBM2016-00002, and CBM2016-00004 is GRANTED, and these proceedings are hereby terminated.

CBM2016-00001 Patent 7,194,698
CBM2016-00002 Patent 7,194,698
CBM2016-00004 Patent 6,600,497

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