

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SOUTHSIDE BANCSHARES, INC.,
SOUTHSIDE BANK, TEXAS CAPITAL BANK, N.A.,
TEXAS CAPITAL BANCSHARES, INC.,
ZB, N.A. DBA AMEGY BANK, CULLEN/FROST BANKERS, INC.,
and FROST BANK,
Petitioner,

v.

ST. ISIDORE RESEARCH, LLC,
Patent Owner.

Case CBM2016-00026
Patent 7,904,360 B2

Before MICHAEL R. ZECHER, THOMAS L. GIANNETTI, and
TRENTON A. WARD, *Administrative Patent Judges*.

WARD, *Administrative Patent Judge*.

DECISION

Joint Motion to Terminate

37 C.F.R. §§ 42.5(a), 42.71(a), 42.72, 42.73 and 42.74

On May 18, 2016, Southside Bancshares, Inc., Southside Bank, Texas Capital Bank, N.A., Texas Capital Bancshares, Inc., ZB, N.A. DBA Amegy Bank, Cullen/Frost Bankers, Inc., and Frost Bank (“Petitioner”) and St. Isidore Research, LLC (“Patent Owner”) filed a joint motion to terminate the case with respect to two parties, Cullen/Frost Bankers, Inc. and Frost Bank (collectively “the Frost Parties”). Paper 27, 1. Along with the motion, the parties filed a copy of a document they described as the written settlement agreement between the Frost Parties and Patent Owner (Ex. 2006), as well as a joint request to treat the settlement agreement as business confidential information under the provisions of 37 C.F.R. § 42.74(c). Paper 28, 1.

The Frost Parties and Patent Owner stated in their joint motion that they have reached an agreement resolving the dispute as to the Frost Parties in this proceeding as well as the related district court proceeding. Paper 27, 1–2. These proceedings are still in the preliminary stages, as we have not instituted a trial. Upon consideration of the facts before us, we determine that it is appropriate to terminate this case as to the Frost Parties only. See 37 C.F.R. §§ 42.5(a), 42.71(a), 42.72, 42.73, 42.74.

Accordingly, it is:

ORDERED that the joint motion to terminate this case is GRANTED and the case is hereby terminated as to Cullen/Frost Bankers, Inc. and Frost Bank only;

FURTHER ORDERED that termination is granted as to Cullen/Frost Bankers, Inc. and Frost Bank only, and these proceedings shall continue with Southside Bancshares, Inc., Southside Bank, Texas Capital Bank, N.A.,

CBM2016-00026
Patent 7,904,360 B2

Texas Capital Bancshares, Inc., ZB, N.A. DBA Amegy Bank as Petitioner;
and

FURTHER ORDERED that the joint request of the parties that the settlement agreement (Ex. 2006) be treated as business confidential information, kept separate from the file of the involved patent, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under the provisions of 37 C.F.R. § 42.74(c), is GRANTED.

PETITIONER:

Jeffrey L. Johnson
James M. Heinz
DLA Piper LLP
jeffrey.johnson@dlapiper.com
jim.heintz@dlapiper.com

Richard P. Stitt
Polsinelli PC
rstitt@polsinelli.com

Anthony H. Son
Andrews Kurth LLP
AnthonySon@andrewskurth.com

Kevin L. Daffer
Matheson Keys Daffer & Kordzik
kdaffer@mathesonkeys.com

CBM2016-00026
Patent 7,904,360 B2

PATENT OWNER:

Neil A. Rubin
Amir Naini
Jay Chung
Russ August & Kabat
nrubin@raklaw.com
anaini@raklaw.com
jchung@raklaw.com