

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MANUKAMED LTD. and
MANUKA MEDICAL LTD.,
Petitioners,

v.

APIMED MEDICAL HONEY LTD.,
Patent Owner.

Case IPR2013-00234
Patent RE 42,755

Before LORA M. GREEN, JENNIFER S. BISK, and
CHRISTOPHER L. CRUMBLY, *Administrative Patent Judges*.

GREEN, *Administrative Patent Judge*.

JUDGEMENT
Termination of the Proceeding
37 C.F.R. § 42.73

The parties have requested that this trial proceeding be terminated pursuant to a settlement. On November 15, 2013, the Board authorized the parties to file a joint request to terminate the proceeding and to file the settlement agreement as business confidential under 37 C.F.R. 42.74(c). Paper 32. On that same day, the parties filed a joint motion to terminate, Paper 30, and to treat the settlement agreement as business confidential, Paper 31.¹ See 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. With their motion to terminate and to treat the settlement agreement as business confidential, the parties also filed a copy of a written settlement agreement. Paper 31 (Exhibit A).

A decision by the Board to institute a trial was entered on September 25, 2013. Paper 17. This matter, however, is in the preliminary stages. The parties have not identified any other related matters between them. Under these circumstances, the Board determines that it is appropriate to enter judgment² and terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated;

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information and kept separate from the file of the involved patent under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is GRANTED.

¹ We note that the settlement agreement should have been filed as an exhibit, rather than being attached to the joint request to file the settlement agreement as business confidential.

² 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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