

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

A. L. LEE CORPORATION
Petitioner

v.

BROOKVILLE EQUIPMENT CORPORATION
Patent Owner

Case IPR2013-00245
Patent 5,743,190

Before LORA M. GREEN, JENNIFER S. BISK, and RAMA G. ELLURU,
Administrative Patent Judges.

GREEN, *Administrative Patent Judge.*

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

On July 3, 2013, and pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74, the parties filed a copy of a settlement agreement along with a joint request to treat the settlement agreement as business confidential, to be separate from the patent

file. In addition, the parties filed a joint motion to terminate the proceeding pursuant to 35 U.S.C. § 317.

This case is in the preliminary proceeding¹ stage; no decision whether to institute a trial has been made. Based on the facts of this case, it is appropriate to enter judgment.² Therefore, the joint motion to terminate the proceeding is GRANTED.

Accordingly, it is

ORDERED that the parties' request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file, is GRANTED;

FURTHER ORDERED that the joint motion to terminate the proceeding is GRANTED;

FURTHER ORDERED that the proceeding is TERMINATED.

¹ A preliminary proceeding begins with the filing of a petition for instituting a trial and ends with a written decision as to whether trial will be instituted.
37 C.F.R. § 42.2.

² A judgment means a final written description by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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PETITIONER:

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