

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

HITACHI CABLE AMERICA INC.,  
Petitioner,

v.

BELDEN INC.,  
Patent Owner.

---

Case IPR2013-00408  
Patent No. 5,563,377

---

Before GLENN J. PERRY, JENNIFER S. BISK, and  
CHRISTOPHER L. CRUMBLEY, *Administrative Patent Judges*.

CRUMBLEY, *Administrative Patent Judge*.

JUDGMENT  
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 January 22, 2014, the Board authorized the parties to file a

joint request to terminate and to file the settlement agreement as business confidential under 37 C.F.R. 42.74(c). Paper 11. The parties filed the joint motion to terminate pursuant to 35 U.S.C. § 317 on January 27, 2014. Paper 12. Accompanying the motion, the parties filed a true copy of a settlement agreement along with a joint request to treat the settlement agreement as business confidential, to be kept separate from the patent file pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Paper 13; Ex. 1008.

A decision by the Board to institute a trial was entered on December 30, 2013. Paper 9. This matter, however, is in its preliminary stages. In their joint motion, the parties represent that they jointly requested that the related district court litigation involving Patent 5,563,377, *Belden Inc. v. Hitachi Cable America Inc., et al.*, Case No. 1:12-cv-1724 (S.D. Ind.), be dismissed with prejudice. Under these circumstances, the Board determines that it is appropriate to enter judgment and terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72. 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*.

Case IPR2013-00408  
Patent No. 5,563,377

For PETITIONER:

Cassandra Swain  
Mika Mayer  
Morrison & Foerster LLP  
CSwain@mofo.com  
mmayer@mofo.com

For PATENT OWNER:

Matthew B. Lowrie  
Aaron W. Moore  
FOLEY & LARDNER LLP  
mlowrie-PTAB@foley.com  
amoore-PTAB@foley.com