

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMMSCOPE, INC.
Petitioner

v.

PANGRAC AND ASSOCIATES
Patent Owner

Case IPR2013-00461
Patent 6,678,442

Before JENNIFER S. BISK, LYNNE E. PETTIGREW, and PETER P. CHEN,
Administrative Patent Judges.

CHEN, *Administrative Patent Judge.*

JUDGMENT – TERMINATION OF THE PROCEEDING
37 C.F.R. § 42.73

On February 27, 2014, the parties filed a joint motion (Paper No. 9) to terminate this IPR trial proceeding. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. With the motion, the parties filed a copy of the written settlement agreement, referred to by the parties' motion as "Exhibit A" thereto, but actually marked as "Exhibit 1." The parties also filed a request to treat the settlement agreement as business confidential information under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper No. 10).

This trial was instituted on January 29, 2014, and is in the preliminary stages. The initial conference call with the Board to discuss the case has not been held. There is no co-pending district court litigation. Under these circumstances, the Board determines that it is appropriate to 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, kept separate from the file of the involved patents, 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 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

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Patent 6,678,442

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