

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

STARWOOD HOTELS AND RESORTS WORLDWIDE, INC.
Petitioner

v.

LONE STAR WIFI, LLC
Patent Owner

Case IPR2014-00101
Patent 8,312,286 B2

Before JUSTIN T. ARBES, BRYAN F. MOORE, and
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

ARBES, *Administrative Patent Judge*.

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

On December 12, 2013, the Board authorized the parties to file a joint motion to rescind the judgment previously entered in the instant proceeding and terminate the proceeding on the basis of the parties' settlement. Paper 11. The parties filed their joint motion on December 17, 2013. Paper 12;

see 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. The parties also filed a copy of their written settlement agreement (Exhibit 1015) and a request (Paper 13) to treat the settlement agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Before being terminated by virtue of the earlier judgment, this proceeding was still in the preliminary stages. Patent Owner had not yet filed a preliminary response and the Board had not yet determined whether to institute an *inter partes* review. Petitioner also filed a “Notice of Non-Participation” stating that it no longer intended to participate in the proceeding. Paper 7. The parties further represent that the related district court litigation involving the challenged patent was terminated based on the parties’ settlement agreement. Paper 12 at 1. The parties identify no other related matters. Under the circumstances, the Board determines that it is appropriate to terminate the proceeding without rendering a final written decision. *See* 37 C.F.R. § 42.72.

In consideration of the foregoing, it is hereby:

ORDERED that the judgment entered on December 4, 2013 in this proceeding is *withdrawn*;

FURTHER ORDERED that the parties’ joint request that the settlement agreement (Exhibit 1015) be treated as business confidential information, kept separate from the file of Patent 8,312,286 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*; and

FURTHER ORDERED that the joint motion to terminate the proceeding is *granted* and this proceeding is hereby *terminated*.

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PETITIONER:

Scott A. McKeown

Greg Gardella

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, L.L.P.

CPDocketMcKeown@oblon.com

CPDocketGardella@oblon.com

PATENT OWNER:

Abraham HersHKovitz

Eugene Rzucidlo

HERSHKOVITZ & ASSOCIATES, PLLC

ahersHKovitz@hersHKovitz.net

GRzucidlo@HersHKovitz.net