

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTRADO, INC.
Petitioner

v.

911 NOTIFY, LLC
Patent Owner

Case IPR2014-00505
Patent 6,775,356 B2

Before KALYAN K. DESHPANDE, ERICA A. FRANKLIN, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

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

On April 28, 2014, the parties filed a joint motion to terminate the instant proceeding pursuant to a settlement agreement. Paper 9. The parties also filed a true copy of their written settlement agreement, made in connection with the termination of the instant proceeding, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Paper 11. Additionally, the parties submitted a joint request to have their settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 10.

The instant proceeding is in the preliminary stage. The Board has not determined whether trial will be instituted in the instant request for *inter partes* review of US Patent No. 6,775,356 B2 (“the ’356 patent”). Further, the deadline to file a patent owner response is on June 21, 2014, in about seven weeks, and Patent Owner has not filed any such response.

In their joint motion to terminate, the parties indicate that they have settled their dispute concerning the ’356 patent, and the parties agree that the instant proceeding should be terminated. Paper 9, 1. Petitioner appears to be the sole defendant in the related litigation. Pet. 2-3. No other proceedings related to the ’356 patent have been filed. *Id.*

The parties submit that termination is appropriate because the instant proceeding is at a very early stage and termination will conserve Board resources. Paper 9, 1.

Upon consideration of the requests before us, we agree with the parties that terminating the instant proceeding with respect to both Petitioner and Patent Owner, at this early juncture, promotes efficiency and minimizes

unnecessary costs. Based on the facts of this case, it is appropriate to enter judgment.¹ See 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

Accordingly, it is:

ORDERED that the joint motion to terminate IPR2014-00505 is *granted*;

FURTHER ORDERED that the instant proceeding is hereby *terminated* as to all parties, including Petitioner and Patent Owner; and

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

¹ 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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PETITIONERS:

Don Tiller

Alexander Gasser

Skiermont Puckett LLP

don.tiller@skiermontpuckett.com

alex.gasser@skiermontpuckett.com

PATENT OWNER:

Harold Johnson

Edward Machado

BRINKS GILSON & LIONE

hjohnson@brinksgilson.com

emachado@brinksgilson.com