

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRAINLAB, AG and VARIAN MEDICAL SYSTEMS, INC.,
Petitioner,

v.

SARIF BIOMEDICAL LLC,
Patent Owner.

IPR2014-00753
Patent 5,755,725

Before MICHELLE R. OSINSKI, SCOTT E. KAMHOLZ, and
DAVID C. MCKONE, *Administrative Patent Judges*.

OSINSKI, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
35 U.S.C. § 317(a); 37 C.F.R. § 42.72

On November 14, 2014, the parties filed a joint motion to terminate this proceeding, along with a copy of Patent Owner's statutory disclaimer of claims 10 and 11. Paper 13.

On November 4, 2014, we instituted an *inter partes* review of claims 10 and

11, but not remaining claims 1–9 of the '725 patent. Paper 10. Patent Owner has filed a statutory disclaimer under 35 U.S.C. § 253(a) and 37 C.F.R. § 1.321(a) disclaiming claims 10 and 11, all of the claims of the '725 patent on which a trial was instituted in the instant proceeding. Paper 13. Consequently, there are no patent claims remaining in this *inter partes* review. *Id.* Under these circumstances, we determine that it is appropriate to enter judgment¹ and terminate the trial without rendering a final written decision. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

It is

ORDERED that the joint motion to terminate IPR2014-00753 is *granted*;
and

FURTHER ORDERED that the proceeding is *terminated*.

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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Patent 5,755,725

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