

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOVELTY, INC.,
Petitioner,

v.

MAGNA-MUG, LLC,
Patent Owner.

Case IPR2014-01171
Patent 7,021,594 B2

Before SHERIDAN K. SNEDDEN, BARRY L. GROSSMAN, and
MITCHELL G. WEATHERLY, *Administrative Patent Judges*.

WEATHERLY, *Administrative Patent Judge*.

JUDGMENT

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

The parties have requested that this trial proceeding be terminated pursuant to a settlement. On October 28, 2014, we authorized the parties via e-mail to file a joint request to terminate this proceeding and to file the settlement agreement as business confidential information under 37 C.F.R. § 42.74(c). The parties filed their joint motion on October 29, 2014. Paper 15. With their motion to terminate, the parties also filed a copy of a

written settlement agreement that they request be kept confidential.

Paper 16, 2; Ex. 1001.

Trial has not yet been instituted in this proceeding. Thus, this proceeding is in the initial stages with no post-petition briefing yet filed. The parties indicate that they have agreed to resolve all disputes between the parties related to the challenged patent including the district court litigation captioned *Magna-Mug, LLC. v. Novelty, Inc.*, 1:13-cv-00304 (S.D. OH.). Ex. 1001, 2. Under these circumstances, we determine that it is appropriate to enter judgment and terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

Accordingly, it is

ORDERED that the Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 is *granted*;

FURTHER ORDERED that the Joint Request to File Settlement Agreement as Business Confidential Information Under 35 U.S.C. § 317 and 37 C.F.R. § 42.74(c), is *granted*.

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