Trials@uspto.gov
571-272-7822

Paper 14
January 26, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TD BANK, N.A.,
Petitioner,

v.

GLOBAL SESSION HOLDINGS SRL,
Patent Owner.

Case IPR2014-01352
Patent 6,076,108

Before JUSTIN T. ARBES, RAMA G. ELLURU,
FRANCES L. IPPOLITO, and J. JOHN LEE, *Administrative Patent Judges.*

IPPOLITO, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.72

On January 16, 2015, the parties filed a joint motion (Paper 12) to terminate the instant proceeding on the basis of a settlement reached by the parties. *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 2016) and requested that the settlement agreement be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 13.

The instant proceeding is still in the preliminary stages. Patent Owner filed a preliminary response on December 5, 2014. We have not yet determined whether to institute an *inter partes* review. The parties further represent that the related district court case between the parties involving U.S. Patent No. 6,076,108 ("the '108 patent") was dismissed with prejudice on January 15, 2015. Paper 12, 3. Additionally, the parties represent that other district court cases involving the '108 patent have also been dismissed. Paper 12, 3; Paper 4, 3. Further, the parties identify related petitions for *inter partes* review in IPR2014-01350, IPR2014-01354, and IPR2014-01356. Paper 12, 2–3. The parties have filed joint motions to terminate each of these proceedings. *Id.* 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 parties' joint request that the settlement agreement (Exhibit 2016) be treated as business confidential information, kept separate from the file of U.S. Patent No. 6,076,108, 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*.

PETITIONER:

William Long
Joshua Curry
MCKENNA LONG & ALDRIDGE LLP
blong@mckennalong.com
jcurry@mckennalong.com

PATENT OWNER:

Peter Ayers
LEE & HAYES PLLC
peter@leehayes.com

Craig Yudell
YUDELL ISIDORE PLLC
yudell@yudellisidore.com