

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CLIENTCONNECT LTD., CLIENTCONNECT, INC.,
CONDUIT LTD., and PERION NETWORK LTD.
Petitioner,

v.

MYMAIL, LTD.,
Patent Owner.

Case IPR2015-00269
Patent 8,275,863 B2

Before HOWARD B. BLANKENSHIP, KARL D. EASTHOM, and
KEVIN F. TURNER, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

DECISION

Joint Motion to Terminate Proceeding
37 C.F.R. § 42.72

On January 6, 2016, the parties filed a Joint Motion to Terminate Proceeding (Paper 31) in the above cited proceeding, as well as a Settlement Agreement (Ex. 2018), with a Joint Request that Settlement Agreement be Treated as Business Confidential Information and Kept Separate (Paper 32). The above filings were authorized pursuant to an email sent by the Board on January 5, 2016.

Under 35 U.S.C. § 317(a), applicable to *inter partes* review proceedings, a proceeding shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed. This matter is at a stage prior to its final hearing, with no decision on the merits having been made.

Under 35 U.S.C. § 317(b), any agreement or understanding between the Patent Owner and a Petitioner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of the proceeding, shall be in writing, and a true copy of such agreement or understanding shall be filed in the Office. The Settlement Agreement appears to be a true copy of the agreement between the parties, specifies the instant proceeding, and identifies other matters that are to be settled between the parties. Ex. 2018.

Under these circumstances, we determine that it is appropriate to grant the Joint Motion to terminate the trial without rendering a final written decision pursuant to 35 U.S.C. § 318(a). *See* 37 C.F.R. §§ 42.5(a), 42.72.

Accordingly, it is

ORDERED that the Joint Motion to Terminate Proceeding is *granted*; and

FURTHER ORDERED that the Settlement Agreement, Exhibit 2018, be treated as business confidential information, be designated “Board Only,” and be kept separate from the file of the involved patent under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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