

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JST PERFORMANCE, INC. D/B/A/ RIGID INDUSTRIES,
Petitioner,

v.

KONINKLIJKE PHILIPS N.V.,
Patent Owner.

Case IPR2015-00308
Patent 6,586,890 B2

Before TRENTON A. WARD, PATRICK M. BOUCHER, and ROBERT J.
WEINSCHENK, *Administrative Patent Judges*.

WARD, *Administrative Patent Judge*.

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

On March 3, 2015, JST Performance, Inc. d/b/a Rigid Industries (“Petitioner”) and Koninklijke Philips N.V. (“Patent Owner”) filed a joint motion to terminate the trial proceeding. Paper 12. Along with the motion, the parties filed a copy of a document they describe as the written settlement agreement (Ex. 1023), as well as a joint request to treat the settlement agreement as business confidential information under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 12, 2–3.

The parties state in their motion that they have settled their dispute regarding U.S. Patent No. 6,586,890 B2. Paper 12, 2. Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement. *See, e.g., Office Patent Trial Practice Guide*, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). These proceedings are still in the preliminary stages, as the Board has not instituted a trial and the time for the filing of a Preliminary Response by Patent Owner has not yet expired or been waived. The Board is persuaded that, under these circumstances, it is appropriate to terminate these proceedings with respect to all parties.

Accordingly, it is:

ORDERED that the joint motion to terminate this proceeding is GRANTED and the proceeding is hereby terminated; and

FURTHER ORDERED that the joint request of the parties that the settlement agreement (Ex. 1023) be treated as business confidential information, kept separate from the file of the involved patent, and made available only to Federal Government agencies on written request, or to any

Case IPR2014-00593
Patent 6,624,843 B2

person on a showing of good cause, under the provisions of 35 U.S.C.
§ 317(b) and 37 C.F.R. § 42.74(c), is GRANTED.

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