

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREEDOM INNNOVATIONS, LLC,
Petitioner,

v.

BLATCHFORD, INC., BLATCHFORD PRODUCTS LTD., &
CHAS. A. BLATCHFORD & SONS, LTD.,
Patent Owner.

Case IPR2015-00640
Patent 8,740,991 B2

Before MEREDITH C. PETRAVICK, HYUN J. JUNG, and
CHRISTOPHER G. PAULRAJ, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

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

Pursuant to authorization by the Board via email sent November 13, 2015, Freedom Innovations, LLC (“Petitioner”) and Blatchford Inc., Blatchford Products Ltd., and Chas. A. Blatchford & Sons, Ltd. (collectively, “Patent Owner”) filed a Joint Motion to Terminate Proceeding (Paper 14, “Mot.”) and a Joint Request that Settlement Agreement be Treated as Business Confidential Information and Kept Separate Under 35 U.S.C. § 317 (Paper 16).

Under 35 U.S.C. § 317(a), an *inter partes* review proceeding shall be terminated with respect to any petitioner upon the 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. The present proceeding is in an early stage. A Decision to Institute was entered July 31, 2015 (Paper 8). Patent Owner has not yet filed its Patent Owner Response. The merits have not been decided, and this proceeding is eligible for termination. *See* Mot. 2.

Under 35 U.S.C. § 317(b), any agreement or understanding between Patent Owner and 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. Patent Owner and Petitioner state that they have settled their dispute and have reached agreement to terminate this proceeding. Mot. 1. In support of their joint motion, the parties filed Exhibit 1031 as a true copy of their written agreement. *Id.*

Upon consideration of the facts in the case before us, we grant the joint motion and terminate this proceeding as to both Petitioner and Patent

Owner without rendering a final written decision. 37 C.F.R. § 42.72. We also grant the joint request to maintain Exhibit 1031 as business confidential in accordance with 37 C.F.R. § 42.74(c).

ORDER

Accordingly, it is:

ORDERED that the Joint Motion to Terminate this proceeding is *granted* and, accordingly, this proceeding is hereby *terminated*; and

FURTHER ORDERED that the parties' Joint Request that the agreement (Ex. 1031) submitted in support of the Joint Motion be treated as business confidential information, to be kept separate from the file of U.S. Patent No. 8,740,991 B2, and made available only under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*.

IPR2015-00640
Patent 8,740,991 B2

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