

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOSTON SCIENTIFIC CORPORATION,
Petitioner,

v.

UAB RESEARCH FOUNDATION,
Patent Owner.

Case IPR2015-00918
Patent 6,266,563 B1

Before PHILLIP J. KAUFFMAN, BENJAMIN D. M. WOOD, and
JAMES A. WORTH, *Administrative Patent Judges*.

WORTH, *Administrative Patent Judge*.

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

After obtaining Board authorization, on October 25, 2016, the parties filed a “Joint Motion to Terminate.” Paper 23. The parties also filed therewith a true copy of the written settlement agreement (Ex. 2015), and a “Joint Request to Keep Separate.” Paper 24.

The parties indicate that they “have agreed to settle their dispute,” are simultaneously seeking dismissal of a related district court proceeding, that

US Patent No. 6,266,563 B1 (“the ’563 patent”) is “not the subject of any other litigation or proceeding,” and that “none [other litigation] is contemplated in the foreseeable future.” Paper 23, 1–2. The parties request that the written settlement agreement be treated as confidential business information and kept separate from the file of the ’563 patent. Paper 24, 1.

No oral hearing has been held in this matter. Based on the facts of the case, we are persuaded that it is appropriate to terminate the proceeding as to both Petitioner and Patent Owner. Therefore, the joint motion to terminate and the request to file the settlement agreement as business confidential information are granted.

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding is *granted*;

FURTHER ORDERED that the joint request to file the settlement agreement as business confidential information, to be kept separate from the patent file, is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

IPR2015-00918
Patent 6,266,563 B1

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