

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FEDEX OFFICE AND PRINT SERVICES, INC.,
Petitioner,

v.

CDR PRINTING LLC,
Patent Owner.

Case IPR2015-01134
Patent 7,271,929 B1

Before TRENTON A. WARD, ROBERT J. WEINSCHENK, and
CHRISTA P. ZADO, *Administrative Patent Judges*.

ZADO, Administrative Patent Judge.

ORDER
Termination of the Proceeding
37 C.F.R. § 42.74

I. INTRODUCTION

On June 25, 2015, the parties filed a Joint Motion to Terminate the instant proceeding. Paper 8 (“Joint Mot.”) In addition, pursuant to 37 C.F.R. § 42.74(b), the parties filed a true copy of a Dismissal Agreement (“Agreement”). Ex. 1010.

II. ANALYSIS

The parties contend the Agreement constitutes the written agreement required under 37 C.F.R. § 42.74(b). Joint Mot. 1. In the Agreement, the parties identify a related district court case and a related proceeding before the U.S. Patent and Trademark Office (“Office”) involving the parties. Ex. 1010, 1. The parties represent that the Agreement settles all disputes between the parties with respect to the instant proceeding. Joint Mot. 1; Ex. 1010, 1. Further, the parties represent that, pursuant to the Agreement, the parties are filing appropriate motions requesting dismissal of the related district court case and termination of the related proceeding before the Office. Joint Mot. 1; Ex. 1010, 1. This case is in the preliminary proceeding¹ stage; no decision whether to institute a trial has been made. Under these circumstances, we determine that good cause exists to terminate the instant proceeding at this preliminary proceeding stage and without rendering a final written decision.

III. ORDER

In consideration of the foregoing, it is hereby:

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

¹ A preliminary proceeding begins with the filing of a petition for instituting a trial and ends with a written decision as to whether trial will be instituted. 37 C.F.R. § 42.2.

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FURTHER ORDERED that the instant proceeding is hereby
terminated as to all parties.

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