

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

1,4 GROUP, INC.,
Petitioner,

v.

WASHINGTON STATE UNIVERSITY,
Patent Owner.

Case IPR2015-01153
Patent 8,999,419 B2

Before MICHAEL P. TIERNEY, JON B. TORNQUIST, and
ELIZABETH M. ROESEL, *Administrative Patent Judges*.

ROESEL, *Administrative Patent Judge*.

DECISION

Granting Joint Motion to Terminate
35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72, 42.74

On February 11, 2016, and pursuant to 35 U.S.C. § 317(a), the parties filed a stipulation of dismissal and a joint motion to terminate the *inter partes* review based upon a settlement agreement between the parties. Papers 15, 16. The parties concurrently filed a copy of their Settlement Agreement (Ex. 1),¹ along with a joint request that it be treated as business confidential and kept separate from the patent files pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 17.

The parties represent that termination is appropriate because the parties have reached an amicable resolution of the *inter partes* review through their Settlement Agreement.

These proceedings are at an early stage, as *inter partes* review was instituted on October 23, 2015, and the Board has not yet decided the merits of the proceeding. In view of the early stage of the proceeding and the parties' representation as set forth above, we determine that it is appropriate to terminate these proceedings. See 37 C.F.R. § 42.72. Therefore, the joint motion to terminate the *inter partes* review is granted. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

The parties' request that their Settlement Agreement (Ex. 1) be treated as business confidential and kept separate from the patent files pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is also granted.

¹ The exhibit number fails to comply with the exhibit numbering requirement of 37 C.F.R. § 42.63(c), but correction will not be required in view of termination of the proceeding.

ORDER

Accordingly, it is:

ORDERED that the parties' joint request that the Settlement Agreement (Ex. 1) be treated as business confidential information and kept separate from the patent files, is *granted*; and

FURTHER ORDERED that the joint motion to terminate is *granted*, and the *inter partes* review is terminated.

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