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Paper 14, IPR2015-01193;
Paper 13, IPR2015-01194;
Paper 17, IPR2015-01195;
Paper 14, IPR2015-01196
Entered: February 10, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HANESBRANDS INC.,
Petitioner,

v.

BUOY UNLIMITED, INC.,
Patent Owner.

Cases IPR2015-01193 (7,938,710 B2); IPR2015-01194 (8,506,350 B1);
IPR2015-01195 (8,506,350 B1); IPR2015-01196 (8,753,170 B1)

Before HYUN J. JUNG, SCOTT A. DANIELS, and
TIMOTHY J. GOODSON, *Administrative Patent Judges*.

GOODSON, *Administrative Patent Judge*.

DECISION

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

IPR2015-01193 (7,938,710 B2); IPR2015-01194 (8,506,350 B1);
IPR2015-01195 (8,506,350 B1); IPR2015-01196 (8,753,170 B1)

After obtaining our authorization to do so, the parties filed in each of these four cases a joint motion to terminate the proceedings pursuant to 35 U.S.C. § 317(a). *See* Paper 12.¹ Along with the joint motion, the parties filed a settlement agreement. *See* Ex. 2002. The parties represent that the exhibit is a true copy of the written agreement by which they have settled their dispute, and that there are no other agreements relating to these proceedings. Paper 12, 2. The parties also represent that they have jointly stipulated to the dismissal with prejudice of the related District Court case *Buoy Unlimited, Inc. v. Hanesbrands, Inc.*, Case No. 6:15-cv-296-Orl-28KRS (M.D. Fla.), and that the District Court has ordered that case closed. *Id.* at 3.

These proceedings are at an early stage in that Patent Owner has not yet filed a Patent Owner Response. In view of the early stage of these proceedings, and the concurrent settlement of the dispute between the parties pending in the District Court lawsuit, we determine that it is appropriate to terminate these proceedings. *See* 37 C.F.R. § 42.72. Therefore, the joint motion to terminate these proceedings is granted.

The parties also filed in each case a joint request that the settlement agreement be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *See* Paper 13. We grant the parties' request.

¹ A substantively identical motion appears in each of the four proceedings. For convenience, we refer in this Decision to the papers in Case IPR2015-01193.

IPR2015-01193 (7,938,710 B2); IPR2015-01194 (8,506,350 B1);
IPR2015-01195 (8,506,350 B1); IPR2015-01196 (8,753,170 B1)

Accordingly, it is:

ORDERED that the parties' joint request that the settlement agreement (Ex. 2002 in IPR2015-01193; Ex. 2001 in IPR2015-01194; Ex. 2003 in IPR2015-01195; Ex. 2002 in IPR2015-01196) be treated as business confidential information, to be kept separate from the patent file, is *granted*; and

FURTHER ORDERED that the joint motion to terminate IPR2015-01193, IPR2015-01194, IPR2015-01195, and IPR2015-01196 is *granted*, and that these *inter partes* reviews are hereby terminated.

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