

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HONEYWELL INTERNATIONAL INC.,
Petitioner,

v.

NAVICO HOLDING AS,
Patent Owner.

Case IPR2015-01334
Patent 7,441,189 B2

Before JAMESON LEE, JAMES T. MOORE, and HUNG H. BUI,
Administrative Patent Judges.

BUI, *Administrative Patent Judge.*

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.72

INTRODUCTION

On June 5, 2015, Petitioner filed a Petition requesting an *inter partes* review of claims 1–28 of U.S. Patent No. 7,441,189 (Ex. 1001, “the ’189 patent”). Paper 1 (“Pet.”).

On September 25, 2015, pursuant to Board authorization, Petitioner and Patent Owner filed: (1) a Joint Request to Terminate *inter partes* review pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 (Paper 8) based on their Settlement Agreement (Exhibit 1014); (2) a copy of the Settlement Agreement (Exhibit 1014); and (3) Joint Request to File Settlement Agreement (Exhibit 1014) as Confidential Business Information and to Maintain the Agreement Separate from the Patent File pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 7).

DISCUSSION

The parties assert termination of this proceeding at this stage is appropriate because: (1) the settlement agreement (Exhibit 1014) filed herewith disposes of all active proceedings involving the parties, including all disputes regarding the ’189 patent before the Board and related court matters pending in the District of Minnesota (Case No. 14-CV-04740); and (2) the Board has not instituted review or issued any decision on the merits in this proceeding. Paper 8. According to the parties, (1) there are no related proceedings before the Board; (2) there are no other parties currently involved in related proceedings; and (3) related court matters pending in the District of Minnesota are also being dismissed pursuant to the settlement agreement (*see* Exhibit 1014). The parties also contend that termination of

this proceeding will serve judicial economy by permitting the Board to focus its resources on other IPRs. *Id.*

Based on the parties' representations and the present circumstance where the Board has not instituted review, we determine that it is appropriate to terminate this proceeding as to both Petitioner and Patent Owner. *See* 37 C.F.R. § 42.72.

ORDER

In consideration of the foregoing, it is:

ORDERED that the parties' Joint Request (Paper 8) to treat their settlement agreement (Exhibit 1014) as confidential business information and to keep such settlement agreement (Exhibit 1014) separate from the patent file, is *granted*;

FURTHER ORDERED that the parties' Joint Motion (Paper 9) to terminate this proceeding is *granted*; and

FURTHER ORDERED that this proceeding is hereby *terminated*.

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