

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIPPERT COMPONENTS MANUFACTURING, INC.,
Petitioner,

v.

AL-KO KOBER, LLC,
Patent Owner.

Case IPR2015-01374
Patent 7,370,900 B1

Before MICHAEL J. FITZPATRICK, BARRY L. GROSSMAN, and
CHRISTOPHER L. CRUMBLEY, *Administrative Patent Judges*.

GROSSMAN, *Administrative Patent Judge*.

ORDER
Dismissing the Petition
37 C.F.R. § 42.71(a)

On December 15, 2015, pursuant to Board authorization, Petitioner Lippert Components Manufacturing, Inc. and Patent Owner AL-KO Kober, LLC filed a combined Joint Motion to Terminate this *inter partes* review

Petition (“Joint Motion”) and a Joint Request that the submitted settlement agreement (Ex. 1016) be treated as Business Confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 9.

The Board has not yet entered a decision on the merits of the Petition as to whether an *inter partes* review will be instituted. The parties indicate that they have agreed to resolve their dispute related to the challenged patent. Mot. 1. Under these circumstances, we determine that it is appropriate to dismiss the Petition without entering a decision on the merits of the Petition. See 35 U.S.C. § 314; 37 C.F.R. § 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

We also grant, under 37 C.F.R. § 42.74(c), the parties Joint Request to treat the settlement agreement (Ex. 1016) as Business Confidential information.

In light of the foregoing, it is

ORDERED that the Petition in IPR2015-01374 is *dismissed*; and

FURTHER ORDERED that the settlement agreement (Ex. 1016) shall be treated as business confidential information under 37 C.F.R. § 42.74(c), to be kept separate from the patent file.

IPR2015-01374
Patent No. 7,370,900

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