

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SPECTORSOFT CORPORATION,
Petitioner,

v.

HELIOS SOFTWARE, LLC,
Patent Owner.

Case IPR2015-01599
Patent 8,930,535 B2

Before BARBARA A. BENOIT, LYNNE E. PETTIGREW, and
WILLIAM M. FINK, *Administrative Patent Judges*.

FINK, *Administrative Patent Judge*.

DECISION
Dismissing Petition Pursuant to Settlement
37 C.F.R. § 42.71(a)

On October 2, 2015, the parties filed a joint motion to terminate IPR2015-01599 pursuant to 35 U.S.C. § 317. Paper 7. Along with the joint motion, the parties filed a “Settlement Agreement and Release of Claims” (Ex. 1041, “Settlement Agreement”). The parties have also filed a joint request to have the Settlement Agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 8.

The parties represent the Settlement Agreement is a true and correct copy, and resolves the case as well as the parties’ co-pending district court litigation. Paper 7, 2; *see also* Ex. 1041, 1–2. We accept the parties’ representations. The Settlement Agreement also purports to set forth the entire understandings of the parties concerning the subject matter of the agreement. Ex. 1041, 11.

This case is at an early stage. Patent Owner has not yet filed a Preliminary Response, and we have not yet instituted a trial. In view of the early stage of the case, and the concurrent settlement of the disputes in the district court lawsuits, we determine that it is appropriate to dismiss the Petition and terminate the case with respect to both parties. *See* 37 C.F.R. § 42.71(a). Therefore, the joint motion to terminate is granted. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

ORDER

Accordingly, it is:

ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file is *granted*;

FURTHER ORDERED that the Petition in the case is *dismissed*;

FURTHER ORDERED that the joint motion to terminate is *granted* and the case is terminated with respect to both Petitioner and Patent Owner.

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