

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUPERIOR COMMUNICATIONS, INC. and
PURE GEAR INTERNATIONAL CORPORATION,
Petitioner,

v.

M-EDGE INTERNATIONAL CORPORATION AND M-EDGE
ACCESSORIES, LLC,
Patent Owner.

Case IPR2016-00048
Patent 8,887,910 B2

Before MICHAEL P. TIERNEY, JOSIAH C. COCKS, and
MICHAEL L. WOODS, *Administrative Patent Judges*.

WOODS, *Administrative Patent Judge*.

TERMINATION
Dismissing the Petition
37 C.F.R. §§ 42.5(a), 42.71(a)

On December 7, 2015, the Board authorized the parties to file a joint motion to terminate after the parties informed the Board—earlier that day—that they settled their dispute. On December 8, 2015, and pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the parties filed a joint motion to terminate along with a copy of a related settlement agreement. Paper 8, 1 (“The parties have settled their dispute, and have reached agreement to terminate this *Inter Partes Review*”); Ex. 1020 (“Settlement Agreement”). In the joint motion, the parties represent that the filed settlement agreement is “a true and correct copy” and resolves this *inter partes* review and a related district court case, *M-Edge Int’l Corp. v. Superior Comm., Inc.*, Case No. 1:14-cv-03630-WDQ (D. Md.). Paper 8, 1; Ex. 1021 (“Joint Stipulation of Dismissal Without Prejudice” of referenced district court case).

The parties also filed 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). Paper 9, 1.

We have not instituted trial in this proceeding. Thus, this proceeding is in its initial stages. The parties indicate that they “jointly request termination of the *Inter Partes Review*.” Paper 8, 1. Under these circumstances, we determine that it is appropriate to dismiss the petition. See 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

It is

ORDERED that the parties’ “Joint Motion to Terminate Proceeding” for *Inter Partes Review* of U.S. Patent No. 8,887,910 B2 (Paper 8) is granted;

FURTHER ORDERED that the Petition for *Inter Partes* Review of the above-referenced patent is dismissed; and

FURTHER ORDERED that, as was requested timely by the parties (Paper 9), the settlement agreement (Ex. 1020) will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

IPR2016-00048
Patent 8,887,910 B2

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