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Paper 15
Entered: July 27, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOSPITALITY CORE SERVICES LLC,
Petitioner,

v.

NOMADIX, INC.,
Patent Owner.

Case IPR2016-00077
Patent 8,266,266 B2
Case IPR2016-00081
Patent 8,266,269 B2
Case IPR2016-00092
Patent 8,364,806 B2

Before HOWARD B. BLANKENSHIP, GLENN J. PERRY, and TREVOR M. JEFFERSON, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

JUDGMENT
Termination Pursuant to Settlement
37 C.F.R. §§ 42.5, 42.71, 42.73, 42.74

On June 28, 2016, Petitioner and Patent Owner filed an authorized Joint Motion to Terminate in each proceeding. Paper 11.[1] Along with the Motion, the parties filed a copy of their Settlement Agreement, made in connection with the termination of the proceeding, in accordance with 37 C.F.R. § 42.74(b). Ex. 2010. The parties submitted a joint request that the Settlement Agreement be treated as business confidential information and kept separate from the files of the patents at issue, under 37 C.F.R. § 42.74(c). Paper 12. For the reasons set forth below, we grant the Joint Motion to Terminate and the joint request in each proceeding.

The Board generally expects that a case "will terminate after the filing of a settlement agreement, unless the Board has already decided the merits." Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012); *see* 37 C.F.R. § 42.72. In their Joint Motion to Terminate, the parties submit that the Board has not decided the merits of the *inter partes* review, and Patent Owner has not yet submitted its patent owner response to the petition. Paper 11, 2. The parties have executed a settlement agreement to terminate the related case *Nomadix, Inc. v. Hospitality Core Services LLC*, No. 14-cv-08256 (C.D. Cal.). *Id.*

Upon consideration of the facts before us, we determine that it is appropriate to terminate each proceeding and enter judgment without rendering a final written decision. *See* 37 C.F.R. §§ 42.5(a), 42.71(a), 42.73(a), 42.74. We, therefore, grant the Joint Motions to Terminate. Paper 11.

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[1] Paper and Exhibit numbers refer to the papers filed in IPR2016-00077.

We also determine that the parties have complied with the requirements of 37 C.F.R. § 42.74(c) to have the Settlement Agreement treated as business confidential information and kept separate from the files of the subject patents. Thus, we grant the joint requests. Paper 12.

ORDER

For the foregoing reasons, it is:

ORDERED that the joint requests that the Settlement Agreement be treated as business confidential information and kept separate Under 37 C.F.R. § 42.74(c) (Paper 12) are *granted*; and

FURTHER ORDERED that the Joint Motions to Terminate (Paper 11) are *granted* and these proceedings are terminated.

IPR2016-00077 Patent 8,266,266 B2
IPR2016-00081 Patent 8,266,269 B2
IPR2016-00092 Patent 8,364,806 B2

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