

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KSP CO. LTD
Petitioner,

v.

GUALA PACK S.P.A.
Patent Owner.

Case IPR2016-01065
Patent 8,528,757 B2

Before LORA M. GREEN, KEN B. BARRETT, and
RICHARD H. MARSCHALL, *Administrative Patent Judge*.

MARSCHALL, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

On August 26, 2016, the parties filed a joint motion to terminate the proceeding pursuant to 35 U.S.C. § 317. Paper 8. On that same date the parties also filed, pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74(c), a copy of a settlement agreement along with a joint request to treat the settlement agreement as business confidential, to be separate from the patent file. Paper 9.

This case is in the preliminary proceeding¹ stage; no decision whether to institute a trial has been made. Based on the facts of this case, it is appropriate to enter judgment.² Therefore, the joint motion to terminate the proceeding is GRANTED.

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding is GRANTED;
FURTHER ORDERED that the parties' request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file, is GRANTED; and

FURTHER ORDERED that the proceeding is TERMINATED.

¹ A preliminary proceeding begins with the filing of a petition for instituting a trial and ends with a written decision as to whether trial will be instituted. 37 C.F.R. § 42.2.

² A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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