

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RANIR, LLC,
Petitioner,

v.

HAYLOFT ENTERPRISES, INC.,
Patent Owner.

Case IPR2016-01175
Patent 8,316,859 B2

Before PHILLIP J. KAUFFMAN, NEIL T. POWELL, and
JAMES J. MAYBERRY, *Administrative Patent Judges*.

KAUFFMAN, *Administrative Patent Judge*.

DECISION
Termination of the Proceeding
37 U.S.C. § 317(a) and 37 C.F.R. § 42.72

Pursuant to our authorization, the parties filed a joint motion to terminate the instant proceeding. Paper 13.¹ The joint motion represents that the parties have filed a true copy of their written settlement agreement (Paper 14) in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Paper 13, 2. The parties also filed a joint request to have their settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 15.

Under 35 U.S.C. § 317(a), an *inter partes* review proceeding shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Patent and Trademark Office has decided the merits of the proceeding before the request for termination is filed. The Board has not made an institution decision in this case.

The parties represent that the related district court case, *Medtech Prods. Inc. v. Ranir, LLC*, Southern District of New York, No. 16-Civ-244 (PGG), was dismissed with prejudice and is “terminated.” Paper 13, 2–3. The parties further represent that there are no related proceedings currently before the Office involving the patent at issue. Paper 13, 3. The settlement agreement indicates it is a full and final agreement between the parties. Paper 15 ¶ 18.

In light of this, we grant the Joint Motion to Terminate, and terminate this proceeding as to both Petitioner and Patent Owner without rendering a final written decision. 37 C.F.R. § 42.72.

¹ The pages of this Paper are not numbered and we consider the cover page to be page 1.

ORDER

Accordingly, it is:

ORDERED that the Joint Motion to Terminate and the Joint Request to File the Settlement Agreement as Business Confidential are *granted* and, accordingly, this proceeding is hereby *terminated*.

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