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Paper 11
Entered: October 13, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WILSON SPORTING GOODS CO.,
Petitioner,

v.

EASTON BASEBALL/SOFTBALL INC.,
Patent Owner.

Case IPR2016-01497
Patent 8,795,108 B2

Before JOSIAH C. COCKS, MITCHELL G. WEATHERLY, and GEORGE R. HOSKINS, *Administrative Patent Judges.*

WEATHERLY, *Administrative Patent Judge*.

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

We authorized the parties via e-mail dated October 11, 2016, to file a joint motion to terminate this proceeding and file their settlement agreement as business confidential information under 37 C.F.R. § 42.74(c). The same day, the parties filed their joint motion to terminate. Paper 9. The parties also filed true copies of written agreements relating to settlement, Exs. 1012,

1013, along with a joint motion to keep these agreements confidential, Paper 10, at 2.

We have not instituted trial in this proceeding. Thus, this proceeding is in its initial stages. The parties indicate that they have agreed to resolve all disputes between them related to the challenged patent. Paper 9, at 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).

Accordingly, it is

ORDERED that the Joint Motion to Terminate Inter Partes Review of U.S. Patent 8,795,108, Paper 9, is *granted*;

FURTHER ORDERED that the Joint Request to File Agreement as Confidential Business Information Pursuant to 35 U.S.C. § 317, Paper 10, is *granted*; and

FURTHER ORDERED that the Petition for Inter Partes Review of U.S. Patent 8,795,108 is *dismissed*.

PETITIONER:

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