

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GUARDIAN INDUSTRIES CORP.,
Petitioner,

v.

PILKINGTON DEUTSCHLAND AG,
Patent Owner.

Case IPR2016-01635
Patent 6,218,323 B1

Before ERICA A. FRANKLIN, CHRISTOPHER M. KAISER, and
JEFFREY W. ABRAHAM, *Administrative Patent Judges*.

ABRAHAM, *Administrative Patent Judge*.

ORDER
Termination of the Proceedings
37 C.F.R. § 42.72

On June 2, 2017, pursuant to 35 U.S.C. § 317(a), the parties filed a Joint Motion to Terminate this proceeding. Paper 18. Accompanying the Motion, the parties filed a true copy of a settlement agreement along with a Joint Request to treat the settlement agreement as confidential, to be kept separate from the patent file under 35 U.S.C. § 317(b) and 37 C.F.R.

§ 42.74. Paper 19; Ex. 2002. We authorized the filing of these papers in an email sent on May 23, 2017.

We entered a Decision to Institute an *inter partes* review in this case on February 15, 2017. Paper 9. Although there has been some activity in this proceeding, Patent Owner has not yet filed its Patent Owner Response. Based on these facts, it is appropriate to terminate the proceedings. Thus, the Joint Motion to Terminate the proceeding is granted.

Accordingly, it is

ORDERED that the parties' Joint Motion to Terminate the proceeding is *granted*;

FURTHER ORDERED that the parties' Joint 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*.

Case IPR2016-01635
Patent 6,218,323 B1

PETITIONER:

Joseph A. Rhoa
Jonathan A. Roberts
NIXON & VANDERHYE, P.C.
jar@nixonvan.com
jr@nixonvan.com

PATENT OWNER:

John T. Callahan
Travis B. Ribar
SUGHRUE MION, PLLC
jcallahan@sughrue.com
tribar@sughrue.com