

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

SHIPPING AND TRANSIT, LLC,
Patent Owner.

Case IPR2017-00361
Patent 6,415,207 B1

Before NEIL T. POWELL, FRANCES L. IPPOLITO, and
MICHAEL L. WOODS, *Administrative Patent Judges*.

WOODS, *Administrative Patent Judge*.

DECISION
Dismissing Petition and Terminating Proceeding Pursuant to Settlement
37 C.F.R. § 42.71(a)

I. Introduction

On March 6, 2017, Petitioner, Unified Patents Inc. (“Unified”), and Patent Owner, Shipping and Transit, LLC (“Shipping”), (collectively referred to as “the parties”), filed a Joint Motion to Dismiss and Terminate Under 37 C.F.R. § 42.71(a). Paper 7 (“Joint Motion to Dismiss”).¹ Along with the Joint Motion to Dismiss, the parties filed a true copy of a Confidential Settlement and License Agreement (Ex. 1014, “Settlement Agreement”), as well as a Joint Motion to Keep Confidential and Separate Under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 8 (“Joint Motion to Keep Confidential”)).

II. Discussion

In the Joint Motion to Dismiss, the parties represent that they have settled their dispute and have reached an agreement “that fully resolves all underlying disputes between the parties,” including the petition filed in this *inter partes* review. See Paper 7, 1. The parties further represent that other than the Settlement Agreement, there are no agreements between the parties made in connection with, or in contemplation of, the termination of the present proceeding. *Id.*

This proceeding is at an early stage. Shipping has not filed a preliminary response and we have not yet decided whether to institute trial. In view of the early stage of this proceeding, and the settlement between the parties, we determine that it is appropriate to dismiss the petition and terminate the proceeding with respect to both parties. See 37 C.F.R.

¹ Filing of the Joint Motion to Dismiss was authorized in e-mail correspondence from Board personnel on March 2, 2017.

§ 42.71(a). Therefore, we *grant* the Joint Motion to Dismiss. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

III. Orders

It is

ORDERED that the Joint Motion to Dismiss (Paper 7) is *granted*, and the petition is hereby *dismissed* and the proceeding *terminated*; and

FURTHER ORDERED that the Joint Motion to Keep Confidential (Paper 8) is also *granted*, and the Settlement Agreement (Ex. 1014) will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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For PETITIONER:

P. Andrew Riley
Andrew.riley@finnegan.com

Jonathan Stroud
jonathan@unifiedpatents.com

For PATENT OWNER:

Henry Ohanian
artoush@ohanian-iplaw.com

Bryan Baysinger
blb@pfslawgroup.com