

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

CRYPTOPEAK SECURITY, LLC.,
Patent Owner.

Case IPR2018-00127
Patent 6,202,150 B1

Before, JOSEPH A. FISCHETTI, MICHAEL R. ZECHER, and
DANIEL J. GALLIGAN, *Administrative Patent Judges*.

FISCHETTI, *Administrative Patent Judge*.

DECISION

Granting the Parties' Joint Motion to Terminate
37 C.F.R. §§ 42.71(a) and 42.74

I. DISCUSSION

On February 14, 2018, the parties filed the following in the proceeding identified above: (1) a Joint Motion to Terminate (Paper 6); (2) a true copy of the parties' Settlement Agreement (Ex. 1023); and (3) a Joint Motion To File Settlement Agreement As Confidential Business Information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 7).

This proceeding is still in its preliminary stages. On November 22, 2017, Petitioner, Unified Patents Inc., filed a Petition requesting an *inter partes* review of claims 1–4 and 17 of U.S. Patent No. 6,202,150 B1 (Ex. 1001, “the ’150 patent”). Paper 2, 3. Patent Owner, CryptoPeak Security, LLC, has not filed a Preliminary Response, nor have we entered a decision whether or not to institute an *inter partes* review.

In the Joint Motion to Terminate, the parties indicate that they have settled all their disputes regarding the ’150 patent. Paper 6, 1–3. The parties identify a number of policy considerations that favor dismissing the Petition and terminating this proceeding, including that there is “a strong interest in encouraging settlement,” “limiting unnecessary and counterproductive costs,” and “conserving” Board resources. *Id.* at 2–3. Under these particular circumstances, we determine that it is appropriate to dismiss the Petition without rendering any further decisions, thereby terminating this proceeding. *See* 37 C.F.R. § 42.71(a).

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' Joint Motion to File Settlement Agreement as Confidential Business Information under 37 C.F.R. § 42.74(c) is GRANTED; and

FURTHER ORDERED that the parties' Joint Motion to Terminate is GRANTED, and the Petition is dismissed resulting in termination of the proceeding.

For PETITIONER:

Lionel Lavenue
C. Brandon Rash
Finnegan, Henderson, Farabow, Garret & Dunner, LLP
lionel.lavenue@finnegan.com
brandon.rash@finnegan.com

Ashraf Fawzy
Roshan Mansinghani
Unified Patents Inc.
afawzy@unifiedpatents.com
roshan@unifiedpatents.com

For PATENT OWNER:

Timothy Devlin
James Lennon
Devlin Law Firm LLC
tdevlin@devlinlawfirm.com
jlennon@devlinlawfirm.com