

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ARI PHOENIX, INC.,  
Petitioner,

v.

VEHICLE SERVICE GROUP, LLC,  
Patent Owner.

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Case IPR2018-00149  
Patent 6,983,196 B2

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Before BRIAN J. McNAMARA, LYNNE E. PETTIGREW, and  
BART A. GERSTENBLITH, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

JUDGMENT  
TERMINATION OF TRIAL; SETTLEMENT  
35 U.S.C. § 317; 37 C.F.R. §§ 42.72, 42.73, 42.74

The parties have requested that this proceeding be terminated pursuant to a settlement. On May 15, 2018, we authorized the parties to file a joint motion to terminate, a copy of any agreement or understanding made in connection with, or in contemplation of, the termination of this proceeding, and a joint request to treat any agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 9. On June 1, 2018, the parties filed a Joint Motion to Terminate Proceedings (Paper 10) pursuant to 35 U.S.C. § 317(a); 37 C.F.R. § 42.72 and a Joint Motion to Keep Settlement Agreement Confidential (Paper 11) pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. The parties also filed a copy of a written settlement agreement. Ex. 2001.

A decision by the Board to institute a trial was entered on May 15, 2018. Paper 7. There has been no discovery and a Patent Owner Response has not been filed. Notwithstanding that the proceeding has moved beyond the preliminary stage, the parties have explained adequately the reason termination is appropriate. The parties have not identified any other related matters. Under these circumstances, the Board determines that it is appropriate to enter judgment<sup>1</sup> and terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the Joint Motion to Terminate Proceedings is GRANTED and the proceeding is hereby terminated; and

FURTHER ORDERED that the Joint Motion to Keep Settlement Agreement Confidential is GRANTED and the Settlement Agreement

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<sup>1</sup> A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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(Exhibit 2001) shall be kept separate from the file of the above-referenced patent, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

PETITIONER:

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