

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,
Petitioner

v.

SPYCURITY LLC,
Patent Owner.

Case IPR2018-00305
Patent 5,809,118

Before JONI Y. CHANG, TREVOR M. JEFFERSON,
and AARON W. MOORE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

DECISION

Granting Motion to Terminate the Proceeding
35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72, 42.74(c)

The parties filed a Joint Motion to Terminate Proceeding and Joint Request to Treat the Parties' Agreement (Ex. 1122) as Business Information Confidential ("Joint Motion") on October 26, 2018. Paper 10. In addition, pursuant to 37 C.F.R. § 42.74(c), the parties filed a copy of the parties' Settlement Agreement

(Ex. 1122). The Joint Motion requests that the parties' Settlement Agreement (Ex. 1122) be kept separate from the patent file in this case.

The Board has instituted review, but has not yet issued a final written decision. Under these circumstances, we determine that it is appropriate to terminate without rendering a final written decision. *See* 37 C.F.R. §§ 42.72, 42.74. Therefore, the Joint Motion to Terminate is *granted*.

Accordingly, it is

ORDERED that the parties' request that the Settlement Agreement (Ex. 1122) be treated as business confidential information, to be kept separate from the patent file in each case, is *granted*;

FURTHER ORDERED that the Joint Motion to Terminate is *granted*; and

FURTHER ORDERED that this proceeding is *terminated*.

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FOR PETITIONER:

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