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Paper No. 8
Entered: May 28, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HEWLETT PACKARD ENTERPRISE COMPANY,
Petitioner,

v.

PARITY NETWORKS, LLC,
Patent Owner.

Case IPR2019-00372
Patent 6,643,287 B1

Before JEFFREY S. SMITH, BRYAN F. MOORE, and KAMRAN JIVANI, *Administrative Patent Judges.*

MOORE, *Administrative Patent Judge.*

ORDER
*Dismissing the Petition Pursuant to Settlement*
*37 C.F.R. §§ 42.71(a), 42.74*

On March 13, 2019, pursuant to Board authorization, Petitioner and Patent Owner filed a joint motion to dismiss the Petition in the proceeding identified in the caption. Paper 6. Along with the motion, the parties filed a

copy of a document they describe as a settlement agreement and email regarding the settlement agreement (Paper 6; Ex. 1020), as well as a joint request to treat the settlement agreement and email regarding the settlement agreement as business confidential information. Papers 6, 7; *see* 37 C.F.R. § 42.74(c) (a party to a settlement may request that the settlement agreement be treated as business confidential and be kept separate from the patent file).

The proceeding is in a preliminary stage. The Board has not yet issued decisions on whether to institute the requested review. The parties state in the joint motion that they have settled their dispute and have reached agreement to terminate these *inter partes* reviews. Paper 6. We are persuaded that, under these circumstances, it is appropriate to dismiss the Petition in the proceeding. 37 C.F.R. § 42.71(a). This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

It is therefore

ORDERED that the joint motion is *granted* and the Petition is dismissed in this proceeding; and

FURTHER ORDERED that the joint request that the settlement agreement (Ex. 1020) be treated as business confidential information, to be kept separate from the patent file, is *granted* in this proceeding.

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