

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,
v.

CHECKSUM VENTURES, LLC.,
Patent Owner.

Case IPR2019-00491
Patent 8,301,906 B2

Before RAMA G. ELLURU, CHARLES J. BOUDREAU, and
STEPHEN E. BELISLE, *Administrative Patent Judges*.

BELISLE, *Administrative Patent Judge*.

ORDER

Dismissing the Petition Pursuant to Settlement
37 C.F.R. §§ 42.5(a), 42.71(a), 42.74

On April 4, 2019, pursuant to Board authorization, Petitioner and Patent Owner filed a joint motion to dismiss the Petition prior to institution. Paper 6. Along with the motion, the parties filed a copy of a document described as a settlement agreement (Paper 6, 1; Ex. 1022), as well as a joint request to treat the settlement agreement as business confidential information and to have it be kept separate from the file of the involved

patent (Paper 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 information and be kept separate from the patent file))).

The case is in a preliminary stage. The Board has not yet issued a decision on whether to institute the proceeding. The parties state in the joint motion that they have settled their dispute and have reached agreement to dismiss the Petition. Paper 6, 1. The parties represent that Exhibit 1022 is “a true and accurate copy of the agreement between the parties that resolves the present proceeding,” and that “there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the present proceeding” *Id.* We are persuaded that, under these circumstances, it is appropriate to dismiss the Petition in the proceeding. 37 C.F.R. §§ 42.5(a), 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 be treated as business confidential information, to be kept separate from the patent file, is *granted* in this proceeding.

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