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Paper 21
Entered: April 28, 2020

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOPRO, INC., GARMIN INTERNATIONAL, INC.,
AND GARMIN USA, INC.,
Petitioners,

v.

CELLSPIN SOFT, INC.,
Patent Owner.

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IPR2019-01107
Patent 9,258,698 B2

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Before GREGG I. ANDERSON, DANIEL J. GALLIGAN, and STACY B. MARGOLIES, *Administrative Patent Judges*.

*Per Curiam.*

TERMINATION
Dismissal after Institution of Trial
*37 C.F.R. § 42.72*

Petitioners in this proceeding filed a petition requesting *inter partes* review of the same claims of Patent 9,258,698 B2 that are challenged in IPR2019-00127 ("'127 IPR") on the same grounds at issue in the '127 IPR. Paper 1. Petitioners also filed a Motion for Joinder requesting to join the '127 IPR. Paper 4. On November 21, 2019, we instituted trial and granted the Motion for Joinder. *See* Paper 19, 30 (ordering that "IPR2019-01107 is instituted and the '1107 Petitioners are joined with IPR2019-00127"). The Decision instituting trial and granting joinder also provided that "no further papers will be filed in IPR2019-01107 and all further filings in the joined proceeding will be in IPR2019-00127." Paper 19, 30. Thus, the '127 IPR was the case that moved forward after joinder. A final written decision under 35 U.S.C. § 318(a) has been issued in the '127 IPR. IPR2019-00127, Paper 51.

Our Rules provide that "[t]he Board may terminate a trial without rendering a final written decision, where appropriate." 37 C.F.R. § 42.72. Under the particular circumstances of this proceeding, namely the joinder of Petitioners to the '127 IPR and the issuance of a final written decision in the '127 IPR, we determine that termination of this *inter partes* review without rendering a final written decision is appropriate.

Accordingly, it is:

ORDERED that this trial is terminated under 37 C.F.R. § 42.72, and no final written decision will be rendered on the record in this proceeding.

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