

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NEVAKAR, INC.,
Petitioner,

v.

CIPLA LIMITED,
Patent Owner.

IPR2019-01446
Patent 9,913,853 B2

Before CHRISTOPHER M. KAISER, CHRISTOPHER C. KENNEDY, and
KRISTIL R. SAWERT, *Administrative Patent Judges*.

KENNEDY, *Administrative Patent Judge*.

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

On April 10, 2020, with the Board's authorization, Petitioner and Patent Owner filed a Joint Motion to Terminate this proceeding. Paper 14 ("Joint Motion").

Under 37 C.F.R. § 42.72, "[t]he Board may terminate a trial without rendering a final written decision, where appropriate."

In the Joint Motion, the Parties represent that termination is "appropriate because the parties have decided not to proceed with this IPR." Joint Motion 2. The Parties further represent that they "have mutually come to the conclusion that in view of present circumstances, their resources would best be reserved by terminating the proceeding," and that "there exists no agreement to be filed with this motion pursuant to 37 C.F.R. § 42.74(b)." *Id.* at 3.

We instituted this proceeding on January 31, 2020. Paper 8. We have not decided the merits of the proceeding, and a final written decision has not been entered. Notwithstanding that the proceeding has moved beyond the preliminary stage, the Parties have shown that termination of the proceeding is appropriate. Under these circumstances, we determine that good cause exists to terminate the proceeding.

This Order is not a final written decision under 35 U.S.C. § 318(a).

In consideration of the foregoing, it is hereby:

ORDERED that the Parties' Joint Motion to Terminate IPR2019-01446 is *granted*, and IPR2019-01446 is terminated with respect to Petitioner and Patent Owner pursuant to 37 C.F.R. § 42.72.

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