

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATAVANT, INC.,
Petitioner,

v.

MANAGEMENT SCIENCE ASSOCIATES, INC.,
Patent Owner.

IPR2020-01672
Patent 9,614,814 B2

Before SALLY C. MEDLEY, JON M. JURGOVAN, and
KIMBERLY McGRAW, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

DECISION
Dismissal Prior to Institution of Trial
37 U.S.C. § 314

On March 25, 2021, the parties filed a Joint Motion to Terminate the proceeding. Paper 6 (“Motion”). The parties represent that the United States District Court for the District of Delaware issued an order, determining all claims of the involved patent invalid “for lack of subject matter eligibility.” Motion 1 (citing Ex. 1010; Ex. 1011). The parties further represent that “Patent Owner did not appeal the district court’s final judgment of invalidity, and the time for appeal has passed.” *Id.* Accordingly, the parties jointly request that we terminate this proceeding. *Id.* at 1–2. Besides the Joint Motion to Terminate, the parties identify no other agreement or understanding between them that would be required to be filed under 35 U.S.C. § 317(b).

At this juncture of the proceeding, we have not made a determination to institute a trial. Based on the facts before us, it is appropriate to terminate the proceeding without rendering a final written decision. *See* 37 C.F.R. § 42.72.

It is

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

FURTHER ORDERED that the proceeding is *terminated*.

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