

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC,
Petitioner,

v.

MEL NAVIP, LLC,
Patent Owner.

IPR2023-00083
Patent 8,060,368 B2

Before JEAN R. HOMERE, KEVIN F. TURNER, and
GREGG I. ANDERSON, *Administrative Patent Judges*.

TURNER, *Administrative Patent Judge*.

DECISION
Joint Motion to Terminate Proceeding
37 C.F.R. § 42.72

On October 25, 2023, the parties filed a Joint Motion to Terminate. Paper 21. The above filing was authorized pursuant to an email sent by the Board on October 18, 2023.

Under 35 U.S.C. § 317(a), applicable to *inter partes* review proceedings, a proceeding shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed. This matter is at a stage after the institution of the

proceeding, but before Petitioner has filed its Petitioner's Reply to the Patent Owner Response (Paper 17) in this proceeding.

The parties represent that they have settled their disputes and indicate that "beyond their joint agreement to file this motion, there are no other agreements between them, written or otherwise." Paper 21, 2. Under 35 U.S.C. § 317(b), any agreement or understanding between the Patent Owner and a Petitioner, including any collateral agreements referred to in such agreement or understanding, made in connection with, or in contemplation of, the termination of the proceeding, shall be in writing, and a true copy of such agreement or understanding shall be filed in the Office. Based on the parties' representations, it is understood that no additional agreement exists. On this record, no motion by any third party for joinder with these *inter partes* reviews is pending.

Upon consideration of the facts before us, we determine that it is appropriate to terminate the proceeding with respect to both parties. *See* 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.72, 42.74. Therefore, the joint motion to terminate the proceeding is granted. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

Accordingly, it is

ORDERED that the Joint Motion to Terminate Proceeding is *granted*.

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