

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENNOX INDUSTRIES INC.,
Petitioner,

v.

ROSEN TECHNOLOGIES LLC,
Patent Owner.

IPR2023-00715 (Patent 6,619,555 B2)
IPR2023-00716 (Patent 6,789,739 B2)
IPR2023-00717 (Patent 7,156,318 B1)
IPR2023-00718 (Patent 7,185,825 B2)
IPR2023-00719 (Patent 7,232,075 B1)¹

Before MEREDITH C. PETRAVICK, JAMES P. CALVE,
JEREMY M. PLENZLER, and JASON W. MELVIN,
*Administrative Patent Judges.*²

PER CURIAM.

TERMINATION
Due to Settlement After Institution of Trial

¹ This Order addresses issues that are the same in each of these proceedings. We issue one Order to be entered in each proceeding. The parties are not authorized to use this style caption unless later permitted.

² This listing of Administrative Patent Judges does not represent an expanded panel for any of the above-identified proceedings.

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35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

On March 11, 2024, with the Board’s authorization, Petitioner and Patent Owner (collectively referred to as “the Parties”) filed a Joint Motion to Terminate *Inter Partes* Review in each of the above-identified proceedings. Paper 12³ (“Joint Motion”). The Parties also filed a copy of a Dismissal Agreement (Ex. 1057) in each proceeding.

II. DISCUSSION

In the Joint Motions, the Parties represent, for each of the above-identified proceedings, that “[t]he Parties have now settled their dispute and have reached agreement to terminate this proceeding.” Paper 12, 3. The Parties further represent, for each proceeding, that the Dismissal Agreement “is a true and accurate copy of the agreement between the Parties that resolves the present proceeding” and “that there are no other written or oral agreements or understandings, including any collateral agreements, between them.” *Id.* at 2.

Under 35 U.S.C. § 317(a), “[a]n inter partes review instituted under this chapter 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

³ For expediency, we cite to papers in IPR2023-00715. Similar papers were filed in the other proceedings identified above.

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filed.” Section 35 U.S.C. § 317(a) also provides that if no petitioner remains in the *inter partes* review, the Office may terminate the review.

We instituted trials in each of the above-identified proceedings. Paper 10. We have not yet decided the merits of the proceedings, and final written decisions have not been entered. Notwithstanding that the proceedings have moved beyond the preliminary stage, the Parties have adequately shown that termination of the proceedings is appropriate. Under these circumstances, we determine that good cause exists to terminate the proceedings with respect to the Parties.

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motions are *granted*, and IPR2023-00715, IPR2023-00716, IPR2023-00717, IPR2023-00718, and IPR2023-00719 are *terminated* with respect to Petitioner and Patent Owner pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.72.

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