

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROVISUR TECHNOLOGIES, INC.,
Petitioner,

v.

WEBER FOOD TECHNOLOGY GMBH,
Patent Owner.

IPR2024-00258
Patent 10,647,013 B2

Before CARL M. DeFRANCO, ROBERT J. SILVERMAN, and
RYAN H. FLAX *Administrative Patent Judges*.

DeFRANCO, *Administrative Patent Judge*.

ORDER
Granting Termination Due to Settlement
35 U.S.C. § 317; 37 C.F.R. § 42.74

On February 19, 2025, we authorized Petitioner Provisur Technologies, Inc. (“Provisur”) and Patent Owner Weber Food Technology GmbH (“Weber”) to file a joint motion to terminate. In their motion, Provisur and Weber represent that they have fully resolved their dispute regarding the challenged patent, that such resolution is memorialized in a settlement agreement (Exhibit 2010), and that no other agreements, oral or written, exist between the parties made in connection with, or in contemplation of, the termination of this proceeding. *See* Paper 27, 2, 4. As such, Provisur and Weber jointly request termination of this proceeding. *See id.* In light of the settlement agreement between Provisur and Weber, and the fact that we are still months away from a final decision on the merits, we deem it appropriate to grant the motion for termination.

Along with their motion to terminate, Provisur and Weber also moved to have their settlement agreement (Exhibit 2010) be treated as business confidential information and be kept separate from the files of the challenged patents. *See* Paper 28. Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), we determine that it is appropriate to treat the settlement agreement as business confidential information and keep it separate from the files of the challenged patents.

Accordingly, it is:

ORDERED that the parties’ joint motion to terminate the above-identified proceeding is *granted*;

FURTHER ORDERED that the parties’ joint motion to treat their settlement agreement (Exhibit 2010) as business confidential information is *granted*;

FURTHER ORDERED that Exhibit 2010 shall be treated as business confidential information, kept separate from the files of the above-identified patent, and made available only to federal government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c);

FURTHER ORDERED that this proceeding is terminated.

For PETITIONER:

Sara T. Horton
Ren-how H. Harn
Mitchell M. Feldhake
WILLKIE FARR & GALLAGHER LLP
shorton@willkie.com
rharn@willkie.com
mfeldhake@willkie.com

For PATENT OWNER:

Adam P. Seitz
Paul R. Hart
Nathan S. Byers
Adam M. Sandwell
ERISE IP, P.A.
adam.seitz@eriseip.com
paul.hart@eriseip.com
nathan.byers@eriseip.com
adam.sandwell@eriseip.com
nathan.byers@eriseip.com

