

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ETN CAPITAL, LLC, d/b/a BEECH LANE,
Petitioner,

v.

FBA OPERATING CO.,
Patent Owner.

IPR2024-01445
Patent 10,890,925 B2

Before KEN B. BARRETT, MICHELLE N. WORMMEESTER, and
CYNTHIA M. HARDMAN, *Administrative Patent Judges*.

HARDMAN, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

On June 20, 2025, the parties filed (i) a Joint Motion to Terminate (Paper 20); (ii) a confidential settlement agreement (Exhibit 2002); and (iii) a Joint Request that Settlement Agreement Be Treated as Business Confidential Information and Kept Separate Under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (Paper 19).

The Board has instituted review in this case, but has not yet issued any final written decision. The parties indicate that a settlement has been reached disposing of this proceeding and the related district court litigation. Paper 20, 1, 3. The parties certify that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding. *Id.* at 3.

Under these circumstances, we determine that it is appropriate to terminate this case without rendering a final written decision, and to treat the settlement agreement (Exhibit 2002) as business confidential information, to be kept separate from the patent file. 37 C.F.R. § 42.74.

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' request that the Settlement Agreement be treated as business confidential information, to be kept separate from the patent file, is *granted*;

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

FURTHER ORDERED that this proceeding is terminated.

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