

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CORE SURVIVAL, INC.,
Petitioner,

v.

S&S PRECISION, LLC,
Patent Owner.

Case PGR2015-00022
Patent 8,882,292 B2

Before BEVERLY M. BUNTING, KEVIN W. CHERRY, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

CHERRY, *Administrative Patent Judge*.

JUDGMENT
Termination of Proceeding
37 C.F.R. § 42.72

We instituted trial in this proceeding on February 19, 2016. *See* Paper 8. The Patent Owner Response is not yet due. *See* Paper 19, 1. On June 17, 2016, Petitioner CORE Survival, Inc. (“CORE”) and Patent Owner S&S Precision, LLC (“S&S”) filed, pursuant to our authorization, a Joint Motion to Terminate Proceeding (Paper 20), a copy of a written settlement agreement (Ex. 1009), and a Joint Request to Treat Settlement Agreement as Business Confidential under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c) (Paper 21).

In their motion, the parties represent that CORE and S&S have settled their dispute with respect to U.S. Patent 8,882,292 (“the ’292 patent”), and that Exhibit 1009 is a true and correct copy of their executed settlement agreement to terminate this proceeding, as required by 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(b). Paper 20, 2–3. The parties further represent that “no litigation [is] pending related to the ’292 patent, and the ’292 patent is not the subject of any other proceedings currently before the Office.” *Id.* at 3. The parties further represent that they are not aware of any other matter before the Office that would be affected by the termination of this proceeding. *Id.* Under these circumstances, and in view of the early stage of the current proceeding, we determine that it is appropriate to enter judgment and terminate the proceeding without rendering a final decision. *See* 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the Joint Motion to Terminate Proceeding is *granted*, pursuant to 35 U.S.C. § 327(a);

FURTHER ORDERED the proceeding is hereby *terminated* with respect to all parties;

FURTHER ORDERED that the Joint Request to Treat Settlement Agreement as Business Confidential under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(b) is *granted*; and

FURTHER ORDERED that the settlement agreement (Ex. 1009) shall be treated as business confidential information and kept separate from the file of U.S. Patent No. 8,882,292.

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