

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCHSOURCE, LLC,
Petitioner,

v.

DDC TECHNOLOGY, LLC,
Patent Owner.

Case IPR2018-00494 (Patent 9,420,075 B2)
Case PGR2018-00019 (Patent 9,723,117 B2)
Case PGR2018-00020 (Patent 9,811,184 B2)

Before KALYAN K. DESHPANDE, PATRICK M. BOUCHER, and
MATTHEW J. McNEILL, *Administrative Patent Judges*.

DESHPANDE, *Administrative Patent Judge*.

ORDER

Granting Petitioner's Compelled Motion in Compliance with Court Order
37 C.F.R. § 42.72

IPR2018-00494 (Patent 9,420,075 B2)
PGR2018-00019 (Patent 9,723,117 B2)
PGR2018-00020 (Patent 9,811,184 B2)

On March 26, 2018, the United States District Court for the Northern District of California (“the District Court”) granted a motion for preliminary injunction by DDC Technology, LLC (“Patent Owner”) requiring that MerchSource, LLC (“Petitioner”) move to withdraw its Petitions for *inter partes* review and post-grant reviews based on Patent Owner’s argument that Petitioner breached the Master License Agreement between the parties. Ex. 1035. The District Court’s order was affirmed by the Court of Appeals for the Federal Circuit (“Federal Circuit”). Ex. 1037.¹ Subsequent to the Federal Circuit’s decision (Ex. 1038), the District Court modified its order with new deadlines and required Petitioner to “(1) send an email to the PTAB by Wednesday July 17, 2019 requesting a conference call to facilitate the withdrawal of the PTAB Petitions, and (2) if the PTAB grants permission to file motions to dismiss the petitions, then file the motions according to the schedule set by the PTAB.” Ex. 1036.

Petitioner filed a motion in compliance with the District Court’s order. Paper 48. We grant Petitioner’s motion in compliance with the District Court’s order to seek withdrawal and dismissal of its Petitions. We terminate these proceedings as to all parties.

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner’s motion is *granted*;

FURTHER ORDERED that these proceedings are terminated as to all parties.

¹ IPR2018-00494, PGR2018-00019, and PGR2018-00020 have similar papers and exhibits related to this matter. All citations are to PGR2018-00020 unless otherwise noted.

IPR2018-00494 (Patent 9,420,075 B2)
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