

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNGENTA CROP PROTECTION AG,
Petitioner

v.

PLANTLAB GROEP B.V.,
Patent Owner

Case PGR2021-00061
Patent No. US 10,667,469 B2

Before KEN B. BARRETT, ULRIKE W. JENKS, and
BRENT M. DOUGAL, Administrative Patent Judges.

JENKS, *Administrative Patent Judge*.

DECISION

Dismissing the Petition and Terminating the Proceeding
37 C.F.R. §§ 42.71(a), 42.72, 42.74

With authorization of the Board (Ex. 3002), the parties filed a joint motion to dismiss the petition. Paper 12. The parties explain that dismissal is appropriate because all disputes between the parties regarding U.S. Patent No. 10,667,469 have been resolved. *Id.* at 1.

The parties have filed a true copy of their written settlement agreement, Ex. 1025, and they “certify that there are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of this proceeding, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b).” Paper 12, 2.

The parties correctly note that a Decision on Institution for this proceeding has not been entered and the merits of the proceeding have not been decided. *Id.* at 2.

Based on the foregoing, pursuant to 37 C.F.R. §§ 42.71(a), 42.72, and 42.74, we determine that it is appropriate to dismiss the petition and terminate the proceeding.

Additionally, the parties filed a joint request that the settlement agreement be treated as business confidential information and kept separate from the file of the involved patent. Paper 13. Pursuant to 35 U.S.C § 327(b) and 37 C.F.R. § 42.74, that request is also granted.

ORDER

In accordance with the foregoing, it is hereby:

ORDERED that the joint motion to dismiss the petition is *granted*;

FURTHER ORDERED that the joint request for the settlement agreement, Ex. 1025, to be treated as business confidential information and

PGR2021-00061

Patent No. US 10,667,469 B2

kept separate from the file of the involved patent under the provisions of 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c) is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

PGR2021-00061
Patent No. US 10,667,469 B2

PETITIONER:

Allison W. Dobson
John Alemanni
Cynthia B. Rothschild
Kilpatrick Townsend & Stockton
adobson@kilpatricktownsend.com
jalemanni@kilpatricktownsend.com
crothschild@kilpatricktownsend.com

PATENT OWNER:

Jeffrey M. Goehring
Andrew J. Patch
Nixon & Vanderhye
jgoehring@nixonvan.com
apatch@nixonvan.com