

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REFLECTIX, INC.,
Petitioner,

v.

PROMETHEAN INSULATION TECHNOLOGY LLC,
Patent Owner.

Case IPR2015-01982
Patent No. 8,936,847

Before DONNA M. PRAISS, CHRISTOPHER L. CRUMBLEY, and
KRISTINA M. KALAN, *Administrative Patent Judges*.

CRUMBLEY, *Administrative Patent Judge*.

ORDER
Dismissing the Petition
37 C.F.R. §§ 42.5(a), 42.71(a)

On December 29, 2015, pursuant to Board authorization, Petitioner Reflectix, Inc. and Patent Owner Promethean Insulation Technology, LLC filed a Joint Motion to Terminate this proceeding. Paper 7, "Mot." With the

Joint Motion, the parties filed a copy of a written settlement agreement between them, and a Joint Request to Keep Separate, seeking to have the settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Ex. 2001; Paper 6.

This proceeding is in its initial stages; the Board has not yet decided the merits of the Petition. The parties indicate that they have agreed to resolve their dispute related to the challenged patent, as well as other related patents that were the subject of prior petitions for *inter partes* review. Mot. 1. Under these circumstances, we determine that it is appropriate to dismiss the petition and decline to institute trial. *See* 35 U.S.C. § 314; 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

In light of the foregoing, it is

ORDERED that the Joint Motion to Terminate (Paper 7) is *granted*;
FURTHER ORDERED that the Petition (Paper 1) is *dismissed*;
FURTHER ORDERED that no trial is instituted; and
FURTHER ORDERED that the parties' Joint Request (Paper 6) to have their settlement agreement (Ex. 2001) treated as business confidential information, to be kept separate from the patent file, is *granted*.

IPR2015-01985
Patent No. 8,936,847

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