

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RANBAXY INC.,
Petitioner,
v.

JAZZ PHARMACEUTICALS, INC.,
Patent Owner.

Case IPR2016-00024
Patent 8,772,306 B1

Before ERICA A. FRANKLIN, BRIAN P. MURPHY, and
CHRISTOPHER G. PAULRAJ, *Administrative Patent Judges*.

PAULRAJ, *Administrative Patent Judge*.

ORDER
Termination of the Proceeding
37 C.F.R. §§ 42.72, 42.74

The parties have requested that this proceeding be terminated pursuant to settlement of the dispute regarding U.S. Patent No. 8,772,306 B1. Paper 13. With their motion to terminate, the parties also filed a copy of a written settlement agreement (Exhibit 2021) that they request be kept confidential and separate from the patent file (Paper 13). 35 U.S.C. § 317(b).

This proceeding is in its early stages. We instituted *inter partes* review on April 12, 2016, a Patent Owner Response has not yet been filed, and a hearing is not scheduled for several months. Papers 10, 11. The Office has not yet decided the merits of this proceeding, and a final written decision has not been entered. The parties have settled their dispute and executed a confidential settlement agreement to terminate this proceeding and the parties' related district court litigation: *Jazz Pharmaceuticals, Inc. v. Amneal Pharmaceuticals, LLC*, 13-391-ES-JAD (D.N.J.). Under these circumstances, we determine it is appropriate to terminate this proceeding based on the settlement agreement. 47 C.F.R. §§ 42.72, 42.74.

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding is granted; and

FURTHER ORDERED that the joint request that the settlement agreement (Exhibit 2021) be treated as business confidential information and kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is granted; and

FURTHER ORDERED that the proceeding is terminated.

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Patent 8,772,306 B1

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