

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDWARDS LIFESCIENCES CORPORATION,
Petitioner,

v.

ENDOHEART AG,
Patent Owner.

Case IPR2016-00299 (US 8,182,530 B2)
Case IPR2016-00300 (US 8,182,530 B2)

Before LORA M. GREEN, RAMA G. ELLURU, and
ROBERT A. POLLOCK, *Administrative Patent Judges*.

POLLOCK, *Administrative Patent Judge*.

TERMINATION OF PROCEEDINGS
37 C.F.R. § 42.72

On June 10, 2016, the parties filed joint motions to terminate the instant proceedings accompanied by true copies of a settlement agreement and joint requests to treat the settlement agreement as business confidential, to be kept separate from the patent file, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). (Papers 14, 15, and Exhibit 1046 in IPR2016-00299; Papers 13, 14, and Exhibit 1048 in IPR2016-00300).

IPR2016-00299 (US 8,182,530 B2)

IPR2016-00300 (US 8,182,530 B2)

Petitioner filed two petitions for *inter partes* review of U.S. Patent No. 8,182,530 B2, both of which were accorded a filing date of December 9, 2015. (See Paper 3 in each of IPR2016-00299 and IPR2016-00300). As no trial has been instituted based on any of these petitions, all proceedings are in the preliminary proceeding¹ stage. Based on the facts of these cases, it is appropriate to enter judgment.² Therefore, the joint motions to terminate the proceedings are GRANTED.

Accordingly, it is

ORDERED that the joint requests that the settlement agreement (Exhibit 1046 in IPR2016-00299 and Exhibit 1048 in IPR2016-00300) treated as business confidential information, to be kept separate from the patent file are GRANTED;

FURTHER ORDERED that the joint motions to terminate the proceedings are GRANTED; and

FURTHER ORDERED that the instant proceedings are TERMINATED.

¹ A preliminary proceeding begins with the filing of a petition for instituting a trial and ends with a written decision as to whether a trial will be instituted. 37 C.F.R. § 42.2.

² A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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