

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PASON SYSTEMS USA CORP.,
Petitioner,

v.

AUTO-DRILL, INC.,
Patent Owner.

Case IPR2016-00624
Patent 6,994,172

Before MEREDITH C. PETRAVICK, WILLIAM V. SAINDON, and
SCOTT A. DANIELS, *Administrative Patent Judges*.

SAINDON, *Administrative Patent Judge*.

DECISION

Termination of the Proceeding Prior to Institution Due to Settlement
37 C.F.R. § 42.74

I. DISCUSSION

On April 20, 2016, the parties filed a Joint Motion to Terminate Proceeding (Paper 7) and a Joint Request to file the License and Dismissal Agreement as Business Confidential Information (Paper 6). The parties also filed a true copy of their written settlement agreement under 37 C.F.R. § 42.74(b). Ex. 1018. For the reasons discussed below, the Joint Motion to Terminate Proceeding and the Joint Request to file the License and Dismissal Agreement as Business Confidential Information are *granted*.

This proceeding is in the preliminary stages. Patent Owner has not yet filed a preliminary response and no *inter partes* review has been instituted. The parties represent that Petitioner will no longer be participating in this proceeding and that their settlement includes dismissing the co-pending district court case involving the challenged patent. Paper 7, 3. The parties represent that there are no other related district court cases involving the Petitioner and that there are no other pending *inter partes* reviews involving the challenged patent. *Id.* at 3–4. In view of the circumstances presented in this case, we determine that termination of the proceeding is appropriate.

II. ORDER

Accordingly, it is:

ORDERED that the Joint Request to file the License and Dismissal Agreement as Business Confidential Information (Paper 6) is *granted*;

FURTHER ORDERED that Exhibit 1018 be treated as business confidential information under 37 C.F.R. § 42.74(c);

FURTHER ORDERED that the Joint Motion to Terminate Proceeding (Paper 7) is *granted*; and

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FURTHER ORDERED that this proceeding is hereby *terminated*.

For PETITIONER:

Gordon T. Arnold
garnold@arnold-iplaw.com

Christopher P. McKeon
cmckeon@arnold-iplaw.com

For PATENT OWNER:

David G. Henry, Sr.
dhenry@grayreed.com

Michael D. Ellis
mellis@grayreed.com