

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BEDGEAR, LLC,
Petitioner,
v.
SHEEX, INC.,
Patent Owner.

Cases

IPR2016-00715 (Patent 8,402,580)
IPR2016-00716 (Patent 8,566,982)
IPR2016-00719 (Patent 9,109,309)
IPR2016-00720 (Patent 8,402,580)
IPR2016-00721 (Patent 8,566,982)
IPR2016-00722 (Patent 9,109,309)

Before PHILLIP J. KAUFFMAN, BENJAMIN D. M. WOOD, and
BARRY L. GROSSMAN, *Administrative Patent Judges*.

KAUFFMAN, *Administrative Patent Judge*.

ORDER

Termination of the Proceeding
37 U.S.C. § 317 and 37 C.F.R. § 42.72

Pursuant to authorization by the Board, Bedgear, LLC (“Petitioner”) and Sheex, Inc. (“Patent Owner”) filed a Joint Motion to Terminate (Paper 6) and a Joint Request to File the Settlement Agreement as Business Confidential (Paper 7)

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IPR2016-00721 (Patent 8,566,982)
IPR2016-00722 (Patent 9,109,309)

requesting that we terminate these *inter partes* reviews, and that we treat the submitted settlement agreement (Ex. 1025) as “business confidential.”¹ Paper 6, 1.

Under 35 U.S.C. § 317(a), an *inter partes* review proceeding shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Patent and Trademark Office has decided the merits of the proceeding before the request for termination is filed. The Board has not made an institution decision in these cases.

Patent Owner and Petitioner have settled their dispute with a written agreement to terminate this proceeding and represent that the settlement agreement is a true and correct copy of the agreement. Paper 6, 2; 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(b). The settlement agreement indicates it is a full and final agreement between the parties. Ex. 1025 ¶ 4.

Upon consideration of the facts in the case before us, we grant the Joint Motion to Terminate, and we terminate these proceedings as to both Petitioner and Patent Owner without rendering a final written decision. 37 C.F.R. § 42.72. We also grant the Joint Request to File the Settlement Agreement as Business Confidential. 37 C.F.R. § 42.74(c).

¹ Unless otherwise stated, we reference the papers and exhibits of IPR2016-00716. The other proceedings contain similar filings.

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ORDER

Accordingly, it is:

ORDERED that the Joint Motion to Terminate and the Joint Request to File the Settlement Agreement as Business Confidential filed in each of the above-captioned proceedings are *granted* and, accordingly, these proceedings are hereby *terminated*.

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