

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AGILTRON, INC.,  
Petitioner,

v.

MEMSCAP S.A.,  
Patent Owner.

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Case IPR2016-01683  
Patent 6,262,512 B1

Before DAVID C. MCKONE, DANIEL N. FISHMAN, and  
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

MCKONE, *Administrative Patent Judge*.

ORDER  
Joint Motion to Terminate

On October 31, 2016, the parties filed a Joint Motion to Terminate Proceeding on the basis of a settlement reached by the parties. Paper 17. The parties further filed a true copy of a Patent License and Settlement Agreement (Ex. 1020) and a Joint Request to treat the settlement agreement as business confidential information and to keep separate under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 18. The above filings were authorized pursuant to an email sent by the Board on October 27, 2016.

This proceeding is in an early stage and no decision whether to institute *inter partes* review has been made. Additionally, the parties represent that the parties are in the process of filing a motion to dismiss the associated district court litigation with prejudice. Paper 17, 2. Based on the facts of the instant proceeding, it is appropriate to terminate. Therefore, the joint motion to terminate the instant proceeding is *granted*.

Accordingly, it is

ORDERED that the joint motion to terminate the instant proceeding (Paper 17) is *granted*;

FURTHER ORDERED that the parties' joint request that the settlement agreement (Ex. 1020) be treated as business confidential information, kept separate from the file of U.S. Patent No. 6,262,512 B1, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under the provisions 37 C.F.R. § 42.74(c) is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

IPR2016-01683  
Patent 6,262,512 B1

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