

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BOBA, INC.

Petitioner

v.

THE ERGO BABY CARRIER, INC.

Patent Owner

Case IPR2016-01866

Patent 8,590,757

**JOINT MOTION TO TERMINATE PROCEEDING  
PURSUANT TO 35 U.S.C. § 317**

By emails dated February 13, 2017 and February 14, 2017, the parties sought and the Board authorized the filing of a joint motion to terminate these proceedings and a joint request to file the settlement agreement as business confidential information. *See* Exhibit 2001. Patent Owner The Ergo Baby Carrier, Inc. (“Ergo Baby”) and Petitioner Boba, Inc. (“Boba”) jointly request termination of the Inter Partes Review of U.S. Patent No. 8,590,757, Case No. IPR2016-01866.

Boba filed its petition for *inter partes* review of claims 1-23 of the ‘757 Patent on 9/23/2016. Ergo Baby did not file a preliminary response, and the USPTO has not entered a decision on Boba’s petition.

The parties have settled their dispute, and have reached agreement to terminate this *inter partes* review. This Settlement Agreement has been made in writing, and a true and correct copy is filed as Exhibit 2002 as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). There are no collateral agreements or understandings made in connection with, or in contemplation of, the termination of this *inter partes* review.

The related district court case (complaint filed as Ex. 1023) has also been settled, and the parties are also requesting termination of IPR2016-01870. No litigation or proceeding involving the subject patents is contemplated in the foreseeable future.

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Respectfully submitted,

FOR PATENT OWNER:

Lathrop & Gage LLP

/A. Justin Poplin/

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing JOINT MOTION TO TERMINATE PROCEEDING PURSUANT TO 35 U.S.C. § 317, complete with Exhibits 2001 and 2002, was served electronically via e-mail (pursuant to Petitioner's consent to service by e-mail) on February 22, 2017, in its entirety on Attorneys for Petitioner at the following addresses:

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Dated: February 22, 2017



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