

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FLUIDIGM, CORP.,  
Petitioner,

v.

THE BOARD OF TRUSTEES OF  
THE LELAND STANFORD JUNIOR UNIV.,  
Patent Owner.

Case IPR2017-00014 (Patent 7,695,926 B2)

**RENEWED JOINT MOTION TO TERMINATE PROCEEDINGS**

*Mail Stop "Patent Board"*  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

With the Board's authorization, Petitioner Fluidigm, Corp. and Patent Owner Board of Trustees of the Leland Stanford Junior University hereby jointly renew the parties' request for termination of the instant proceeding pursuant to 37 C.F.R. §§ 42.5(a), 42.71(a), and 42.72. *See* IPR2017-00013, Paper 10 (June 12, 2017).

Termination of this proceeding is proper. As the Office Patent Trial Practice Guide recognizes, “[t]he Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.” 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). Here, the parties have settled their disputes relating to U.S. Patent No. 7,695,926 B2—the patent at issue in this proceeding. Pursuant to 37 C.F.R. § 42.74(b), the parties' Settlement Agreement is in writing, and a true copy of the full Settlement Agreement with all terms is submitted as Exhibit 1019 as business confidential information pursuant to 37 C.F.R. § 42.74(c). Although the instant *inter partes* review has been instituted, the Board has not yet entered a final written decision on the merits. *See Cox Commc'ns, Inc. v. AT&T Intellectual Prop. II, LP*, IPR2015-01536, Paper 65 at 3 (Dec. 8, 2016). As such, termination of the proceeding at this early stage will conserve the Board's resources. *Id.* Therefore, the parties respectfully request the Board exercise its authority under 37 C.F.R. §§ 42.5(a), 42.71(a), and 42.72 to terminate this proceeding.

In addition to requiring an explanation as to why termination is proper, the

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Board has, in some instances, required the parties to identify all parties in any related litigation involving the patent at issue, identify any related proceeding currently before the Office, and discuss the status of each such related litigation or proceeding. *See, e.g., Heartland Tanning, Inc. v. Sunless, Inc.*, IPR2014-00018, Paper 26 at 2 (July 28, 2014). Here, the parties are not aware of any judicial proceeding involving the '926 patent.

For these reasons, the parties jointly renew their request for termination of this proceeding in its entirety as to both Petitioner and Patent Owner.

Dated: June 14, 2017

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of **RENEWED JOINT MOTION TO TERMINATE PROCEEDINGS** was served electronically via e-mail on June 14, 2017, in its entirety, on the following:

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