

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CRESTRON ELECTRONICS, INC.,
Petitioner,

v.

VESPER TECHNOLOGY RESEARCH, LLC,
Patent Owner.

Case IPR2017-00497
Patent 6,611,247 B1

Before KEVIN F. TURNER, JASON J. CHUNG, and
MELISSA A. HAAPALA, *Administrative Patent Judges*.

HAAPALA, *Administrative Patent Judge*.

DECISION

Joint Motion to Terminate

35 U.S.C. § 317 and 37 C.F.R. §§ 42.72, 42.74

Pursuant to our authorization, on April 27, 2017, the parties filed a joint Motion to Terminate Proceedings and Request to File Settlement Agreement as Business Confidential Information. Paper 7. The parties represent that termination is appropriate because they have reached

an agreement resolving the dispute involving the patent at issue and the prior litigation between the parties in connection with the patent at issue has been dismissed with prejudice. *Id.* at 3. Along with the motion, the parties filed a copy of a document they represent is a true copy of the settlement agreement between the parties as Exhibit 1014, which the parties request be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *Id.* at 4–5. The parties represent that “there are no other written or oral agreements or understandings, including any collateral agreements, between them made in connection with the termination of this” proceeding. *Id.* at 4.

“An inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” 35 U.S.C. § 317(a). The proceeding is at an early stage, with the Office not yet having determined whether to institute the proceeding. Under the circumstances, we determine that it is appropriate to terminate this proceeding with respect to all parties without rendering a final written decision. We further determine the request to treat the settlement agreement (Ex. 1014) as business confidential information was timely filed with the settlement agreement, and, therefore, grant the request. *See* 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

It is

ORDERED that the joint Motion to Terminate the captioned proceeding is *granted*; and

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FURTHER ORDERED that the joint request that the settlement agreement (Ex. 1014) be treated as business confidential information pursuant to § 317(b) and 37 C.F.R. § 42.74(c) is *granted*.

For PETITIONER:

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