

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PLASTIC DEVELOPMENT GROUP, LLC,
Petitioner,

v.

MAXCHIEF INVESTMENTS LIMITED,
Patent Owner.

Case IPR2017-00846
Patent 6,622,644 B2

Before SCOTT A. DANIELS, TIMOTHY J. GOODSON, and
ELIZABETH M. ROESEL, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

TERMINATION

Dismissing the Petition After Institution Due to Settlement
37 C.F.R. §§ 42.5(a), 42.71(a)

On January 8, 2017, the parties filed a “Joint Motion to Terminate Proceeding” (Paper 19), and “Joint Motion to File Settlement Agreement as Business Confidential Settlement Information” under 35 U.S.C. § 317(b) and C.F.R. § 42.74(c) (Paper 20). The parties also filed a copy of their written settlement agreement (Exhibit 1008).

We instituted trial in this proceeding on September 5, 2017 and set an oral hearing date of May 24, 2018. This proceeding is, therefore, still in its early stages. The parties indicate the following with respect to their dispute involving U.S. Patent 6,622,644 B2 (“the ’644 patent”):

Petitioner and Patent Owner have entered into a written settlement agreement that resolves all underlying disputes between the parties, including this proceeding . . . As required by the Board, the parties are submitting a true copy of the agreement (Ex. 1008) along with this joint motion to terminate and a separate joint request to file the settlement agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Paper 19, 1. Under these circumstances, we determine that it is appropriate to dismiss the petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

It is

ORDERED that the parties’ “Joint Motion to Terminate Proceeding” is granted to the extent that proceeding IPR2017-00846 is terminated;

FURTHER ORDERED that the Petition for *Inter Partes* Review of the above-referenced patent is dismissed; and

FURTHER ORDERED that, as was requested timely by the parties the settlement agreement (Paper 20) will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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