

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERAS ENGINEERING, INC.,
Petitioner,

v.

CH₂O, INC.,
Patent Owner.

Case IPR2017-01000
Patent RE45,550

Before JO-ANNE M. KOKOSKI, BRIAN P. MURPHY, and
MICHELLE N. ANKENBRAND, *Administrative Patent Judges*.

KOKOSKI, *Administrative Patent Judge*.

TERMINATION
Dismissing the Petition
37 C.F.R. §§ 42.5(a), 42.71(a)

On June 22, 2017, with Board authorization, the parties filed a joint motion to terminate this proceeding (Paper 7), along with what they indicate is a true copy of their written settlement agreement (Ex. 1022). The parties indicate in their joint motion that they have reached “a confidential settlement involving U.S. Patent No. RE45,550” that “effectively resolves all disputes, and this entire proceeding should be dismissed as to both Petitioner and Patent Owner.” Paper 7, 1. On the same day, the parties also filed a joint motion requesting that the settlement agreement be treated as business confidential information and kept separate from the file of U.S. Patent No. RE45,550. Paper 8.

The instant proceeding is in the early stages, and a decision on whether to institute trial has not been made. The parties represent that “[t]here are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of the proceeding.” Paper 7, 1. The parties further represent that Exhibit 1022 is a “true copy of the written settlement agreement.” *Id.* at 2. Under these circumstances, it is appropriate to dismiss the Petition for *Inter Partes* Review. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

As requested by the parties (Paper 8), the settlement agreement will be treated as business confidential information and kept separate from the file of U.S. Patent No. RE45,550. 37 C.F.R. § 42.74(c).

Accordingly, it is

ORDERED that the joint motion to terminate the proceeding (Paper 7) is *granted*;

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FURTHER ORDERED that the Petition for *Inter Partes* Review of the U.S. Patent No. RE45,550 is *dismissed*; and

FURTHER ORDERED that the parties' joint request (Paper 8) that the settlement agreement (Ex. 1022) be treated as business confidential information, to be kept separate from the patent file, is *granted*.

PETITIONER:

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