

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONOS, INC.,
Petitioner,

v.

D&M HOLDINGS INC.,
Patent Owner.

Case IPR2017-01043
Patent 6,473,441 B1

Before JONI Y. CHANG, JENNIFER S. BISK, and JON M. JURGOVAN
Administrative Patent Judges.

BISK, *Administrative Patent Judge.*

DECISION
Granting Joint Motion to Terminate Proceeding
37 C.F.R. §§ 42.72

I. DISCUSSION

On September 13, 2017, the parties filed a Joint Motion to Terminate this proceeding (Paper 9) along with a copy of the Parties' Stipulation of Dismissal in the corresponding district court litigation (Ex. 1019).

This proceeding is still in its preliminary stages. Petitioner, Sonos, Inc., filed a Petition requesting an *inter partes* review of claims 1–4 of U.S. Patent No. 6,473,441 B1. Paper 1. Patent Owner, D&M Holdings Inc., filed a Preliminary Response. Paper 7. We have not entered a decision whether or not to institute an *inter partes* review.

In the Joint Motion to Terminate, the parties indicate that they have settled their dispute regarding the '441 patent in the related district court litigation. Paper 9, 2–3. They also “jointly certify that there is no other written or oral collateral agreement or understanding made in connection with, or in contemplation of, the termination of the instant proceeding.” *Id.* at 2. Under these circumstances, we determine that it is appropriate to terminate this proceeding without rendering any further decisions. *See* 37 C.F.R. § 42.72.

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Joint Motion to Terminate Proceeding is GRANTED, and this proceeding is hereby terminated.

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