

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SALESLOFT, INC.,
Petitioner,

v.

INSIDESALES.COM, INC.,
Patent Owner.

Case IPR2017-01070 (Patent No. 7,072,947 B1)
Case IPR2017-01071 (Patent No. 7,076,533 B1)

Before WILLIAM V. SAINDON, ROBERT J. WEINSCHENK, and
JASON W. MELVIN, *Administrative Patent Judges*.

MELVIN, *Administrative Patent Judge*.

JUDGMENT

Termination of the Proceeding
35 U.S.C. § 317; 37 C.F.R. §§ 42.72, 42.74

IPR2017-01070 (Patent No. 7,072,947 B1)

IPR2017-01071 (Patent No. 7,076,533 B1)

As authorized by email, Petitioner SalesLoft, Inc., and Patent Owner, InsideSales.com, Inc., jointly move for termination of *inter partes* review in IPR2017-01070 (Paper 21, “Motion”) and IPR2017-01071 (Paper 20) (collectively, the “Joint Motions”). Under 35 U.S.C. § 317(a), “[a]n inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” In these proceedings, the Board has not yet reached a decision on the merits with respect to the patentability of any involved claim. Accordingly, we must terminate the review with respect to Petitioner. No other petitioner remains in this proceeding.

Section 317(a) also provides that, “[i]f no petitioner remains in the inter partes review, the Office may terminate the review or proceed to a final written decision under section 318(a).” 35 U.S.C. § 317(a). The Board, therefore, has discretion to terminate these reviews with respect to Patent Owner.

These proceedings are at an early stage—Patent Owner has not yet filed a response. In the Joint Motions, the parties state that they have settled the dispute between them relating to the two patents at issue in these proceedings. Mot. 2. The parties inform us that the district court has dismissed the related litigation, in which the Patent Owner and Petitioner are the only parties. Mot. 3. We determine it is appropriate to terminate these *inter partes* reviews as to both Petitioner and Patent Owner without rendering final written decisions. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

The parties also request that the Board treat the Settlement Agreement and Mutual Release of Claims, filed as Exhibit 1016 (IPR2017-01070) and

IPR2017-01070 (Patent No. 7,072,947 B1)

IPR2017-01071 (Patent No. 7,076,533 B1)

Exhibit 1020 (IPR2017-01071) as “business confidential information, to be kept separate from the files of the involved patents, and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).” IPR2017-01070, Paper 20; IPR2017-01071, Paper 21. That request is *granted*. See 37 C.F.R. § 42.72.

It is

ORDERED that the Joint Motion to Terminate IPR2017-01070 is *granted*;

FURTHER ORDERED that the Joint Motion to Terminate IPR2017-01071 is *granted*;

FURTHER ORDERED that the parties’ request to treat Exhibit 1016 in IPR2017-01070 as business confidential information pursuant to 37 C.F.R. § 42.74(c) is *granted*;

FURTHER ORDERED that the parties’ request to treat Exhibit 1020 in IPR2017-01071 as business confidential information pursuant to 37 C.F.R. § 42.74(c) is *granted*; and

FURTHER ORDERED that these *inter partes* reviews are hereby *terminated*.

IPR2017-01070 (Patent No. 7,072,947 B1)

IPR2017-01071 (Patent No. 7,076,533 B1)

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