

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CPI CARD GROUP INC.,
Petitioner,

v.

GEMALTO S.A.,
Patent Owner.

Case IPR2017-01320
Patent 6,786,418 B1

Before TREVOR M. JEFFERSON, PATRICK M. BOUCHER, and
TERRENCE W. McMILLIN, *Administrative Patent Judges*.

JEFFERSON, *Administrative Patent Judge*.

DECISION

Granting Joint Motion to Dismiss
35 U.S.C. § 317(a) and 37 C.F.R. § 42.72

IPR2017-01320
Patent 6,786,418 B1

On December 19, 2017, pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72, 42.74, CPI Card Group Inc. (“Petitioner”) and Gemalto S.A. (“Patent Owner”) (collectively the “Parties”) filed a joint motion to terminate the instant proceeding pursuant to a settlement agreement and a copy of their Settlement Agreement as Exhibit 2017. Paper 11. The Parties represent that Exhibit 2017 is a true copy the Settlement Agreement entered between the Parties on September 29, 2017, and that there are “no collateral agreements or understandings made in connection with, or in contemplation of, the termination of [IPR2017-01320].” Paper 11, 1. The Parties further represent that pursuant to the Settlement Agreement the Parties have agreed to request termination of *inter partes* review for U.S. Patent No. 6,786,418 B1 (“the ’418 patent”). The Parties also state that *Gemalto S.A. v. CPI Card Group Inc.*, No. 1:16-cv-01006-RBJ (D. Colo.), which involved the ’418 patent, was terminated on December 7, 2017, pursuant to the Parties stipulation filed that same day. Paper 11, 1.

In view of the early stage of these proceedings, and the dismissal and settlement of the dispute between the parties regarding the ’418 patent, we determine that it is appropriate to dismiss the petitions in the instant proceedings. *See* 37 C.F.R. § 42.71(a). Therefore, the joint motion to terminate the proceeding in IPR2017-01320 is granted. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

ORDER

Accordingly, it is:

ORDERED that the petition in IPR2017-01320 is dismissed under 37 C.F.R. § 42.71(a) and the proceeding is hereby terminated.

IPR2017-01320
Patent 6,786,418 B1

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