

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ST. JUDE MEDICAL, LLC,
Petitioner,

v.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA,
Patent Owner.

Case IPR2017-01338 (Patent 6,502,576)
Case IPR2017-01339 (Patent 6,164,283)¹

Before PATRICK R. SCANLON, JAMES A. WORTH, and
MICHAEL L. WOODS, *Administrative Patent Judges*.

WORTH, *Administrative Patent Judge*.

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

After obtaining Board authorization, on February 14, 2018, the parties filed a “Joint Motion to Terminate Under 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74.” Paper 24.² The parties state that there is no written settlement

¹ The same Order is entered in each proceeding.

² The motion appears as Paper 24 in each proceeding.

IPR2017-01338 (Patent 6,502,576)

IPR2017-01339 (Patent 6,164,283)

agreement but have provided a copy of a stipulation which was filed in federal district court, and a corresponding order entering the stipulation in that court, attached as Exhibit A to Paper 24.

We have not instituted trial in these proceedings. Thus, the proceedings are in their initial stages. The parties indicate that they have agreed to settle and to move to dismiss these proceedings so that they may litigate the issue of the validity of the patents-at-issue solely before the district court. Paper 24, 3. Under these circumstances, we determine that it is appropriate to dismiss the petitions. *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).

Accordingly, it is

ORDERED that the joint motion to terminate the proceedings is *granted*; and

FURTHER ORDERED that the Petitions for *Inter Partes* Review of the above-referenced patents are *dismissed*.

IPR2017-01338 (Patent 6,502,576)

IPR2017-01339 (Patent 6,164,283)

PETITIONER:

Matthew A. Smith
SMITH BALUCH LLP
smith@smithbaluch.com

Zhuanjia Gu
TURNER BOYD LLP
gu@turnerboyd.com

PATENT OWNER:

Jonathan Lindsay
Kainoa Asuega
CROWELL & MORING LLP
jlindsay@crowell.com
kasuega@crowell.com