

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FRONTIER WATER SYSTEMS, LLC
Petitioner

v.

GENERAL ELECTRIC CORPORATION
Patent Owner

U.S. Patent No. 7,790,034

Filing Date: January 22, 2008

Issue Date: September 7, 2010

Title: Apparatus and Method for Treating FGD Blowdown or Similar Liquids

Inter Partes Review Case No. IPR2017-01468

JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

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Patent Trial and Appeal Board

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, Virginia 22313

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, Petitioner Frontier Water Systems, LLC (“Petitioner”) and Patent Owner, General Electric Company (“Patent Owner”) jointly request termination of *inter partes* review IPR2017-01468 involving U.S. Patent No. 7,790,034 (“the ’034 Patent”), filed by Petitioner on May 24, 2017.

Pursuant to a global settlement agreement between the parties (the “Agreement”), Petitioner and Patent Owner have agreed to jointly seek termination of the above-captioned *inter partes* review and the related pending district court litigation, *Frontier Water Systems, LLC, Timothy Pickett, and James Peterson vs. General Electric Company, et al.*, Case No. 2:17-cv-00261 (C.D. Utah) (the “Utah Litigation”). The parties’ Joint Stipulation of Dismissal With Prejudice was filed in the Utah litigation and the Utah litigation has been dismissed; the Court’s dismissal is included as EX1024. After the requested termination of this proceeding and the Utah Litigation, no other disputes regarding the ’034 Patent will remain between the parties. There are no other litigation or proceedings in which the ’034 Patent is involved, and Patent Owner states that none is contemplated in the foreseeable future.

For at least these reasons, Patent Owner and Petitioner submit that termination is appropriate.

The filing of this Joint Motion was authorized by the Board in an email on October 25, 2017. At this time, the Board has not reached a decision on institution.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), filed separately herewith as EX1023 is a true copy of the aforementioned Agreement. The Parties hereby certify that EX1023 is the complete agreement between the Parties, and no other collateral agreements or understandings have been made or are contemplated to be made relating to this IPR proceeding including its termination. In accordance with the Joint Request to Treat Confidential Agreement Under Seal, filed herewith, the parties request that the Agreement be treated as business confidential information, and be kept separate from the files of this proceeding in accordance with 37 C.F.R. § 42.74(c).

Dated: October 26, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies that on October 23, 2017, a complete and entire copy of Joint Motion to Terminate *Inter Partes* Review was provided electronically via email, pursuant to agreement of the parties under 37 C.F.R. § 42.6(e)(1), to the Patent Owner by serving the correspondence address of record of lead and back-up counsel as follows:

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Dated: October 26, 2017

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