

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BASF SE,
Petitioner,

v.

FRESENIUS MEDICAL CARE HOLDINGS, INC.,
Patent Owner.

Case IPR2017-01948
Patent 9,353,220 B2

Before JO-ANNE M. KOKOSKI, CHRISTOPHER M. KAISER, and
JEFFREY W. ABRAHAM, Administrative Patent Judges.

ABRAHAM, *Administrative Patent Judge.*

ORDER
Termination of the Proceedings
35 U.S.C. § 317(a) and 37 C.F.R. § 42.72

On July 26, 2018, pursuant to 35 U.S.C. § 317(a), the parties filed a Joint Motion to Terminate this proceeding. Paper 19. Accompanying the Motion, the parties filed what they indicate is a true copy of a settlement agreement along with a Joint Request to treat the settlement agreement as confidential, to be kept separate from the patent file under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. Paper 20; Ex. 2003. We authorized the filing of these papers in an email sent on July 24, 2018.

We entered a Decision to Institute an *inter partes* review in this case on March 12, 2018. Paper 13. Patent Owner has not yet filed its Patent Owner Response. Based on these facts, it is appropriate to terminate the proceedings. Thus, the Joint Motion to Terminate the proceeding is granted.

Accordingly, it is

ORDERED that the parties' Joint Motion to Terminate the proceeding is granted;

FURTHER ORDERED that the parties' Joint Request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file, is granted; and

FURTHER ORDERED that the proceeding is terminated.

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