

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

SPEAKWARE, INC.,
Patent Owner.

Case IPR2019-00758
Patent 6,397,186 B1

Before DEBRA K. STEPHENS, DAVID C. MCKONE, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

DECISION
Termination of the Proceeding
37 C.F.R. §§ 42.71(a), 42.74(a)

I. INTRODUCTION

The parties filed a Joint Motion to Dismiss and Terminate Proceedings. Paper 10 (“Motion” or “Mot.”). The parties also filed what they indicate is a true and correct copy of a Confidential Agreement. Ex. 2008 (“Agreement”). In a Joint Request, the parties identified the Agreement as business confidential information and requested that the Agreement be kept separate from the patent file. Paper 11 (“Joint Request”). For the reasons discussed below, the Motion and Joint Request are *granted*.

II. ANALYSIS

This proceeding is in the preliminary stage, and no decision whether to institute a trial has been made. The parties indicate that they have settled their disputes regarding U.S. Patent No. 6,397,186 B1. Mot. 1. The parties filed the Agreement, and represent that “there are no collateral agreements or understandings between the parties and made in connection with, or in contemplation of, the termination of this proceeding.” *Id.* Under these circumstances, we determine that it is appropriate to dismiss the Petition (Paper 2) and terminate this proceeding. *See* 37 C.F.R. §§ 42.71(a), 42.74(a). We also determine that it is appropriate to treat the Agreement as business confidential information to be kept separate from the patent file. *See* 37 C.F.R. § 42.74(c).

III. ORDER

In consideration of the foregoing, it is hereby:
ORDERED that the Joint Motion to Terminate Proceeding is *granted*;
FURTHER ORDERED that the Petition is *dismissed* and this proceeding is *terminated* as to all parties; and

IPR2019-00758
Patent 6,397,186 B1

FURTHER ORDERED that the Joint Request to treat the Confidential Agreement (Ex. 2008) as business confidential information to be kept separate from the patent file is *granted*.

IPR2019-00758
Patent 6,397,186 B1

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