Joint Motion to Dismiss and to Seal PGR2018-00018 (U.S. Patent No. 9,708,737)

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AQ TEXTILES, LLC,
Petitioner,

v.

ARUN AGARWAL,
Patent Owner.

Case PGR2018-00018
Patent 9,708,737

AQ TEXTILES' AND ARUN AGARWAL'S JOINT MOTION
TO DISMISS PRIOR TO INSTITUTION PURSUANT TO 35 U.S.C. § 327 AND TO SEAL PURSUANT TO 37 C.F.R. § 42.74(c)

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Joint Motion to Dismiss and to Seal

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Pursuant to 35 U.S.C. § 327(a) and 37 C.F.R. § 42.74(a), Petitioner AQ
Textiles, LLC ("AQT") and Patent Owner Arun Agarwal ("Agarwal") hereby jointly request that the Board dismiss the post grant review petition of U.S. Patent No. 9,708,737, Case No. PGR2018-00018.
The Board has not yet instituted this post grant review. AQT filed its petition
on January 15, 2018. Agarwal has not filed a preliminary response, and one is not due until April 15, 2018. The parties have settled their dispute and, accordingly, have agreed to teiiiiinate this post grant review.
Pursuant to 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(b), the parties attach a
true copy of their Settlement Agreement as Exhibit 2001. The Parties also attach a Strategic Alliance Agreement and a License Agreement as Exhibits 2002 and 2003, respectively. Pursuant to 35 U.S.C. § 327(b), 37 C.F.R. § 42.74(c), and 37 C.F.R. § 42.14, the parties request that the Settlement Agreement, the Strategic Alliance Agreement, and the License Agreement be treated as business confidential information and kept separate from the file of the involved patent. Therefore, AQT and Agarwal request that the petition be dismissed before a decision is made on whether to institute trial.

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Dated: March 23, 2018

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