

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRANCH BANKING AND TRUST COMPANY
Petitioner

v.

EMG TECHNOLOGY, LLC
Patent Owner

Case CBM2014-00094
Case CBM2014-00145
Patent 7,441,196

Before GLENN J. PERRY, BENJAMIN D. M. WOOD and
HYUN J. JUNG, *Administrative Patent Judges*.

PERRY, *Administrative Patent Judge*.

ORDER
Conduct of Proceeding
37 C.F.R. § 42.5

A conference call in the above-captioned proceedings was held on July 23, 2014, among respective counsel for Petitioner and Patent Owner, and Judges Perry, Wood and Jung. The parties have indicated their intent to terminate these proceedings because they have settled matters between them related to US Patent 7,441,196. The purpose of the call was to discuss the parties' request for authorization to file joint motions to terminate.

As explained to the parties during the call, they will have to file a copy of all settlement agreements with the Board. The parties have indicated that there is no written settlement agreement between them. There is, however, a joint stipulation filed in the related District Court litigation. A copy of that stipulation and any Order pursuant thereto should be filed with PTAB. A convenient way to accomplish that is by filing them as Exhibits at the same time the joint motions are filed.

The parties assure us that there are no other matters pending before the UPSTO regarding the patent at issue in these cases.

The parties are authorized to file a joint motion in each case to terminate this proceeding. Please refrain from using a joint caption such as used by the Board in this Order. Such joint motion shall conform to 35 U.S.C. § 317 and to 37 C.F.R. § 42.74.

Case CBM2014-00094
Case CBM2014-00145
Patent 7,441,196

ORDER

It is hereby

ORDERED that the parties are authorized to file a joint motion to terminate in each of the above-captioned cases.

FURTHER ORDERED that no further motions are authorized at this time.

PETITIONER:

John Alemanni
jalemanni@kilpatricktownsend.com

Bryan Foster
bfoster@kilpatricktownsend.com

PATENT OWNER:

Gregory Cordrey
gxc@jmbm.com