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Paper 11
Entered: November 26, 2014

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PANASONIC SYSTEM NETWORKS CO., LTD.,
Petitioner,

v.

6115187 CANADA INC.,
Patent Owner.

Case IPR2014-01438
Patent 6,844,990 B2

Before KEVIN F. TURNER, BRIAN J. MCNAMARA, and ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.72

I. INTRODUCTION

This case involves a request for *inter partes* review of U.S. Patent No. 6,844,990 B2 ("the '990 patent"). Paper 2. On November 21, 2014, Judges Turner, McNamara, and Weinschenk held a telephone conference call with counsel for Petitioner Panasonic System Networks Co., Ltd. ("Petitioner") and counsel for Patent Owner 6115187 Canada Inc. ("Patent Owner"). During the telephone conference, we authorized the parties to file a joint motion to terminate this proceeding. On November 21, 2014, the parties filed a joint motion to terminate under 35 U.S.C. § 317 and 37 C.F.R. § 42.74 (Paper 9, "Mot."), along with a copy of the parties' written settlement agreement (Ex. 1015). The parties concurrently filed a joint request to treat the settlement agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 10. For the following reasons, the joint motion to terminate and the joint request to treat the settlement agreement as business confidential information are granted.

II. ANALYSIS

This proceeding is in the preliminary stage. A Patent Owner Preliminary Response has not been filed, and a decision whether to institute a trial has not been rendered. Patent Owner represents that there is no currently pending district court litigation or ITC proceeding regarding the '990 patent, and no decision has been made regarding future litigation. Mot. 1–2. Patent Owner also represents that there is no other related proceeding regarding the '990 patent in the Office. *Id.* at 2. Based on the facts of this case, we determine it is appropriate to enter judgment terminating this proceeding with respect to all parties. We further find sufficient cause to

treat the settlement agreement as business confidential information. Therefore, we grant the joint motion to terminate and the joint request to treat the settlement agreement as business confidential information.

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the joint motion to terminate is granted, and this proceeding is terminated as to all parties; and

FURTHER ORDERED that the joint request that the settlement agreement filed as Exhibit 1015 in this proceeding be treated as business confidential information, kept separate from the file of the ’990 patent, and made available only to Federal Government agencies upon written request or any other person upon written request and a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is granted.

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