

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GLOBUS MEDICAL, INC.,
Petitioner,

v.

DEPUY SYNTHES PRODUCTS, LLC,
Patent Owner.

Case IPR2015-00111
Patent 8,623,057 B2

Before WILLIAM V. SAINDON, BENJAMIN D. M. WOOD, and
MITCHELL G. WEATHERLY, *Administrative Patent Judges*.

WEATHERLY, *Administrative Patent Judge*.

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

On January 21, 2016, Petitioner and Patent Owner requested authorization to file a motion to terminate these proceedings because they had settled the dispute relating to U.S. Patent No. 8,623,057 B2. We had previously denied the Petition seeking *inter partes* review and thus did not institute a trial in this proceeding. Paper 11. Nevertheless, Petitioner filed a

Request for Rehearing asking that we reconsider our decision not instituting review. Paper 13. Petitioner subsequently filed a memorandum relating to supplemental authority in support of the Request for Rehearing. Paper 14. With our prior authorization, Patent Owner filed a Response to the Request for Rehearing, Paper 16, and Petitioner filed a Reply in Support of the Request for Rehearing, Paper 17.

The proceeding would be complete but for the Request for Rehearing of our prior decision not to institute a trial. Thus, at this stage of the proceeding, the only open issue is whether the Request for Rehearing should be granted. Because the parties indicate that they have settled their dispute regarding the '057 patent and wish to terminate these proceedings, we authorize Petitioner to file a notice withdrawing its Request for Rehearing. Upon receiving such a notice, no further issues will remain to be decided and the proceeding will be complete.

For the reasons given, it is:

ORDERED that Petitioner is authorized to file a notice withdrawing its Request for Rehearing.

IPR2015-00111
Patent 8,623,057 B2

PETITIONER:

Jay Guiliano
Margaux A. Savee
Ryan M. Murphy
NOVAK DRUCE CONNOLLY BOVE + QUIGG LLP
jay.guiliano@novakdruce.com
margaux.savee@novakdruce.com
ryan.murphy@novakdruce.com
GlobusIPR@novakdruce.com

PATENT OWNER:

David R. Bailey
Adam J. Forman
Edward King
BAKER & HOSTETLER LLP
dbailey@bakerlaw.com
aforman@bakerlaw.com
IPR2015-00111@bakerlaw.com