

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

PEROXYCHEM LLC,
Petitioner,

v.

INNOVATIVE ENVIRONMENTAL TECHNOLOGIES, INC.,
Patent Owner

Case IPR2016-00241

Patent 7,531,709

JOINT MOTION TO TERMINATE PURSUANT TO 35 U.S.C. 317(a)

JOINT MOTION TO TERMINATE

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72, 42.74, Petitioner PeroxyChem LLC (“Petitioner”) and Patent Owner Innovative Environmental Technologies, Inc. (“Patent Owner”) jointly move for termination of the *inter partes* review of U.S. Patent No. 7,531,709 (“the ’709 patent”), Case No. IPR2016-00241, with the United States Patent and Trademark Office. This Joint Motion was authorized by the Board via email on September 15, 2016.

The parties have settled their dispute, and have reached agreement to terminate this *inter partes* review. A “License and Settlement Agreement” has been made in writing and was executed by Petitioner and Patent Owner on September 8, 2016. A true copy of the “License and Settlement Agreement” in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b) is being submitted concurrently herewith as Exhibit PXY-1027.

Submitted concurrently herewith is a request by Petitioner and Patent Owner that the “License and Settlement Agreement” be treated as business confidential information, be kept separate from the file of the involved patents, and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Pursuant to settlement, the parties have stipulated to dismissal and the district court has dismissed all claims and counterclaims in the following related district court litigation:

Innovative Environmental Technologies, Inc. v. Peroxychem LLC, Scott Steffel, and Bruce Lerner, Eastern District of Pennsylvania, Case No. 15–3145, filed on June 5, 2015.

Peroxychem LLC v. Innovative Environmental Technologies, Inc., Provectus Environmental Technologies, Inc., Michael Scalzi, and James Mueller, Eastern District of Pennsylvania, Case No. 14–6446, filed on November 17, 2014.

No other petitioners remain in this *inter partes* review, and no final written decision on the merits has been entered. For at least these reasons, termination of the *inter partes* review is proper under 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74(a).

Respectfully submitted,

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Dated: October 13, 2016

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e), the undersigned certifies that on the 13th day of October, 2016, a complete copy of the foregoing Joint Motion to Terminate and all supporting exhibits were served by filing this document with the PTAB's End to End System as well as via email to Patent Owner at the following addresses:

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