

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PREFERRED PROPPANTS, LLC, PREFERRED PIPELINE, LLC,
PREFERRED RESIN SALES, LLC,
PREFERRED RESIN OF GENOA, LLC, and
PREFERRED SANDS OF WISCONSIN, LLC,
Petitioner,

v.

TRICAN WELL SERVICE LTD.,
Patent Owner.

Cases IPR2017-01807 and IPR2017-01815, Patent 7,723,274 B2
Cases IPR2017-02099 and IPR2017-02100, Patent 8,236,738 B2

Before KRISTINA M. KALAN, JEFFREY W. ABRAHAM, and
ELIZABETH M. ROESEL, *Administrative Patent Judges*.

ABRAHAM, *Administrative Patent Judge*.

ORDER
Dismissal of the Proceedings
37 C.F.R. § 42.72

Cases IPR2017-01807, IPR2017-01815, Patent 7,723,274 B2
Cases IPR2017-02099, IPR2017-02100, Patent 8,236,738 B2

On January 3, 2018, pursuant to 35 U.S.C. § 317(a), the parties filed Joint Motions to Terminate the proceedings in IPR2017-01807, IPR2017-01815, IPR2017-02099, and IPR2017-02100. IPR2017-01807, Paper 10; IPR2017-01815, Paper 10; IPR2017-02099, Paper 6; IPR2017-02100, Paper 6. Accompanying each Motion, the parties filed a true copy of a settlement agreement along with a Joint Request to treat the settlement agreement as confidential, to be kept separate from the patent file under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. IPR2017-01807, Paper 11, Ex. 1019; IPR2017-01815, Paper 11, Ex. 1019; IPR2017-02099, Paper 7, Ex. 1020; IPR2017-02100, Paper 7, Ex. 1020. We authorized the filing of these papers in an email sent on January 3, 2018.

These proceedings are at an early stage. The Board has not yet determined whether to institute trial. The parties indicate that they have agreed to resolve their disputes related to the challenged patents. *See, e.g.*, IPR2017-01807, Paper 10, 1–2. Under these circumstances, we determine that it is appropriate to dismiss each petition. *See* 37 C.F.R. §§ 42.5(a), 42.71(a). This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

As requested by the parties, the settlement agreement will be treated as business confidential information and kept separate from the patent files. 37 C.F.R. § 42.74(c).

Accordingly, it is

ORDERED that the Joint Motions to Terminate Cases IPR2017-01807, IPR2017-01815, IPR2017-02099, and IPR2017-02100 are *granted*;

Cases IPR2017-01807, IPR2017-01815, Patent 7,723,274 B2
Cases IPR2017-02099, IPR2017-02100, Patent 8,236,738 B2

FURTHER ORDERED that the parties' Joint Requests to have their settlement agreement (IPR2017-01807, Ex. 1019; IPR2017-01815, Ex. 1019; IPR2017-02099, Ex. 1020; and IPR2017-02100, Ex. 1020) treated as business confidential information, to be kept separate from the patent files, are *granted*; and

FURTHER ORDERED that the Petitions for *Inter Partes* Review in IPR2017-01807, IPR2017-01815, IPR2017-02099, and IPR2017-02100 are *dismissed*.

Cases IPR2017-01807, IPR2017-01815, Patent 7,723,274 B2
Cases IPR2017-02099, IPR2017-02100, Patent 8,236,738 B2

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