

Filed on behalf of Ulterra Drilling Technologies, L.P. and Baker Hughes, A GE Company, LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ULTERRA DRILLING TECHNOLOGIES, L.P.,  
Petitioner

v.

BAKER HUGHES, A GE COMPANY, LLC.,  
Patent Owner

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Case No. IPR2018-01662  
Patent No. 6,935,441

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**JOINT MOTION TO TERMINATE UNDER 35 U.S.C. § 317(a)**

As authorized in the Board's Order e-mail of October 9, 2018, pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, Petitioner and Patent Owner jointly request that the *inter partes* review of U.S. Patent No. 6,935,441 be terminated.

The parties have settled their dispute and executed a settlement agreement to terminate this proceeding and the parties' related district court litigation: *Baker Hughes, a GE Company, LLC v. Ulterra Drilling Technologies, L.P.*, Case No. 4:18-cv-00339 (S.D. Tex.). The District Court's Order from October 2, 2018 (Dkt. No. 39) is being filed concurrently herewith as Exhibit 2001.

Pursuant to 37 C.F.R. § 42.74(b), the parties' settlement agreement is in writing, and a true and correct copy is being filed concurrently herewith as Exhibit 2002.<sup>1</sup> The parties are also filing concurrently herewith a joint request to treat the settlement agreement as business confidential information and keep it separate from the files of the IPR and the involved patent under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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<sup>1</sup> The settlement agreement is being filed electronically via the USPTO Patent Trial and Appeal Board End to End System (PTAB E2E) with access to the "Parties and Board Only."

Termination of this proceeding is proper under 35 U.S.C. § 317(a) because the Board has neither instituted an *inter partes* review trial nor decided the merits of the proceeding. Further, the parties are unaware of any other matter before the USPTO that would be affected by the outcome of this proceeding. Accordingly, the parties respectfully request termination of this proceeding.

Respectfully submitted,

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