

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EXRO TECHNOLOGIES INC.,
Petitioner,

v.

ePROPELLED, INC.,
Patent Owner.

IPR2022-01154
Patent 7,382,103 B2

Before CHRISTOPHER L. OGDEN, STACY B. MARGOLIES, and
IFTIKHAR AHMED, *Administrative Patent Judges*.

OGDEN, *Administrative Patent Judge*.

DECISION
Settlement Prior to Institution of Trial
37 C.F.R. § 42.74

I. INTRODUCTION

With the Board’s authorization, Petitioner and Patent Owner (collectively “the Parties”) filed a Joint Motion to Terminate the above-identified proceeding. Paper 7 (“Joint Motion”). In support of the Joint Motion, the Parties filed a copy of a Settlement Agreement. Ex. 1021 (“Settlement Agreement”). The Parties also filed documents showing that the related District Court proceeding has been resolved. *See* Ex. 1022; Ex. 1023.

II. DISCUSSION

In the Joint Motion, the Parties represent that they have reached an agreement to jointly seek termination of the above-identified *inter partes* review proceeding, and that the filed copy of the Settlement Agreement is a true and complete copy. Joint Motion 1–2; Ex. 1021 ¶ 19. The Parties further represent that their Settlement Agreement resolves all currently pending Patent Office and District Court proceedings between the Parties involving the above-identified patent at issue. Joint Motion 2.

This proceeding is at an early stage, and we have not yet decided whether to institute a trial in the proceeding. In view of the early stage of the proceeding and the settlement between the Parties, we determine that good cause exists to dismiss the petition and terminate the proceeding.

Accordingly, for the reasons discussed above, it is

ORDERED that the Joint Motion to Terminate is *granted*, the petition in IPR2022-01154 is dismissed and the proceeding is *terminated*.

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