

Paper No. _____
Filed October 21, 2013

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LOMBARD MEDICAL TECHNOLOGIES PLC

Petitioner

v.

MEDTRONIC, INC.

Patent Owner

Case IPR2013-00269

Patent 6,306,141

**LOMBARD MEDICAL TECHNOLOGIES PLC AND
MEDTRONIC, INC.'S JOINT MOTION TO TERMINATE
PROCEEDING PURSUANT TO
35 U.S.C. § 317 AND 37 C.F.R. § 42.74**

Pursuant to 35 U.S.C. § 317, 37 C.F.R. § 42.74, and the Board's Order of October 17, 2013 ("the Order"), Petitioner Lombard Medical Technologies PLC and Patent Owner Medtronic, Inc. ("the parties") jointly request termination of the *Inter Partes* Review of U.S. Patent No. 6,306,141, Case No. IPR2013-00269, without prejudice to either party.

This *inter partes* review has not been instituted. Petitioner filed its petition on May 6, 2013, and Patent Owner filed its Preliminary Response on August 8, 2013. The parties have settled their dispute and have agreed to request termination of this *inter partes* review proceeding. The settlement agreement has been made in writing and a true and correct copy of the settlement agreement is being filed concurrently with the present motion as business confidential information under 35 U.S.C. § 317(b). Pursuant to 37 C.F.R. § 42.74(c), a Joint Request to File Settlement Agreement as Business Confidential Information is being submitted herewith.

For the foregoing reasons, the parties jointly and respectfully request termination of the present proceeding, Case No. IPR2013-00269, without prejudice to either party.

Date: October 21, 2013

Respectfully Submitted,

By /Christopher B. Kelly/
Christopher B. Kelly
Reg. No. 62,573
ALSTON & BIRD, LLP
1201 W. Peachtree St.
Atlanta, GA 30306
Counsel for Petitioner
Lombard Medical Technologies PLC

By /Justin J. Oliver/
Justin J. Oliver
Reg. No. 44,986
FITZPATRICK, CELLA, HARPER
& SCINTO
1290 Avenue of the Americas
New York, NY 10104
Counsel for Patent Owner
Medtronic, Inc.

Certificate of Service

The undersigned certifies service pursuant to 37 C.F.R. §§ 42.6(e) on the Patent Owner's counsel of record in the proceeding by email (by agreement between the parties) of a copy of this Joint Motion to Terminate Proceeding at the following address:

MEDVASCIPR@fchs.com

Dated: October 21, 2013

/Christopher B. Kelly/

Christopher B. Kelly
Reg. No. 62,573