

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KYOCERA COMMUNICATIONS, INC.,
Petitioner,

v.

E-WATCH, INC. and E-WATCH CORPORATION,
Patent Owner.

Case IPR2015-00406 (Patent 7,365,871 B2)
Case IPR2015-00407 (Patent 7,643,168 B2)¹

Before JAMESON LEE, GREGG I. ANDERSON, and
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

CLEMENTS, *Administrative Patent Judge*.

DECISION

Joint Motion to Terminate
37 C.F.R. §§ 42.5(a), 42.71(a)

¹ This order addresses issues that are the same in all cases. We exercise our discretion to issue one order to be filed in each case. The parties, however, are not authorized to use this style heading in subsequent papers.

IPR2015-00406 (Patent 7,365,871 B2)

IPR2015-00407 (Patent 7,643,168 B2)

On June 30, 2015, the parties filed a “Joint Motion to Terminate” based on a settlement agreement that resolves the parties’ disputes related to the challenged patent. Paper 11.² The parties concurrently filed a copy of the settlement agreement (Ex. 1016) along with a “Joint Request that the Agreement Filed Separate as Exhibit 1016 be Treated as Business Confidential Information and be Kept Separate From the Files.” Paper 12; *see also* 37 C.F.R. § 42.74(c) (“A party to a settlement may request that the settlement be treated as business confidential information and be kept separate from the files of an involved patent or application.”).

We have not yet entered a decision on institution in either proceeding. Under these circumstances, we determine that it is appropriate to dismiss the Petitions. *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).

ORDER

Accordingly, it is

ORDERED that the Joint Motion to Terminate is *granted*; and

FURTHER ORDERED that the settlement agreement (Exhibit 1016 in IPR2015-00406 and Exhibit 1016 in IPR2015-00407) be treated as business confidential information and be kept separate from the files of the involved U.S. Patent Nos. 7,635,871 B2 and 7,643,168 B2.

² All citations are to the filings in IPR2015-00406, unless otherwise noted.

IPR2015-00406 (Patent 7,365,871 B2)

IPR2015-00407 (Patent 7,643,168 B2)

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