

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

RARITAN AMERICAS, INC. D/B/A RARITAN COMPUTER, INC.,
Petitioner

v.

SERVER TECHNOLOGY, INC.,
Patent Owner

Case IPR2015-01596

U.S. Patent No. 7,702,771
Title: Electrical Power Distribution Device
Having a Current Display
Filed: October 11, 2006
Issued: April 20, 2010

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

Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, Petitioner Raritan Americas, Inc. d/b/a Raritan Computer, Inc., (“Raritan”) and Patent Owner Server Technology, Inc. (“Server Tech”) jointly file this request for termination of this *inter partes* review of U.S. Patent No. 7,702,771.

A petition for *inter partes* review was filed by Raritan on July 15, 2015. The parties have settled their dispute and have agreed in a confidential Settlement Agreement to terminate this proceeding (Case IPR2015-01596), an *inter partes* review proceeding of a related patent (Case IPR2015-01597), and other related litigation proceedings involving the subject patent. No other proceedings concerning the subject patent are contemplated by these parties in the foreseeable future. The confidential Settlement Agreement is in writing and was executed by Raritan and Server Tech on January 6, 2016. No collateral agreements were made in connection with the termination of this proceeding.

In accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a true and correct copy of the agreed-upon confidential Settlement Agreement is being submitted herewith as Exhibit 1033. The parties file this joint motion to provide the Board with notice of this critical development as early as possible in the interest of efficiency.

Also submitted concurrently herewith is a request by Raritan and Server Tech that the Settlement Agreement be treated as business confidential

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information, be kept separate from the file of the involved patents, and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

Termination of this proceeding is proper under 35 U.S.C. § 317(a) because the Board has not yet instituted the proceeding. Accordingly, the parties respectfully request termination of this proceeding.

The Patent Trial and Appeal Board is hereby authorized to charge any fees associated with the filing to Deposit Account 100460.

Respectfully submitted,

Dated: January 8, 2016.

Jenner & Block LLP

/Reginald J. Hill/
Reginald J. Hill
Registration No. 39,225

Dated: January 8, 2016.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **JOINT MOTION TO TERMINATE PROCEEDINGS UNDER 35 U.S.C. § 317(a)** was served via email and first class mail, on January 8, 2016, in its entirety, on the following:

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