

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 (Patent 7,702,771)
Case IPR2015-01597 (Patent 7,043,543)¹

Before SALLY C. MEDLEY, GLENN J. PERRY, and
KIMBERLY McGRAW, *Administrative Patent Judges*.

McGRAW, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

¹ This order applies to each of the above-listed cases. Although we issue one order to be docketed in each case, the parties are not authorized to use this caption for any subsequent papers.

IPR2015-01596 (Patent 7,702,771)

IPR2015-01597 (Patent 7,043,543)

On January 8, 2016, the parties filed a joint motion to terminate in IPR2015-01596 and IPR2015-0197, stating the parties have settled their dispute and have agreed in a confidential settlement agreement to terminate the proceedings. Paper 10.² The parties concurrently filed, in each proceeding, a joint request to file the settlement agreement as business confidential information pursuant to 35 U.S.C. § 317. Paper 11; *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.”).

The parties represent that a true and correct copy of the agreed-upon confidential Settlement Agreement was provided as Exhibit 1033 and that no collateral agreements were made in connection with the termination of this proceeding. Paper 10. The parties also represent that the settlement agreement resolves other related litigation proceedings involving the subject patent and that no other proceedings concerning the subject patent are contemplated by these parties in the foreseeable future. *Id.* We accept the parties’ representations.

These proceedings are at an early stage and we have not yet instituted a trial. Based on the facts of these cases, it is appropriate to terminate the proceedings with respect to both parties. Therefore, the joint motions to terminate the proceedings are granted.

Accordingly, it is

² All citations in this decision are to the filings in IPR2015-01596.

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ORDERED that the joint motions to terminate the proceedings are granted and each of the proceedings is terminated with respect to both the Petitioner and the Patent Owner; and

FURTHER ORDERED that in each of these proceedings, the confidential settlement agreement be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) and be kept separate from the file of the patent.

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