

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UMICORE AG & CO. KG,
Petitioner,

v.

BASF CORPORATION,
Patent Owner.

Cases IPR2016-00610, IPR2016-00612, IPR2016-00613
Patents 8,899,023 B2, 9,032,709 B2, 9,039,982 B2

Before CHRISTOPHER L. CRUMBLEY, JO-ANNE M. KOKOSKI, and
JEFFREY W. ABRAHAM, *Administrative Patent Judges*.

ABRAHAM, *Administrative Patent Judge*.

ORDER
Dismissing the Petitions
37 C.F.R. §§ 42.5(a), 42.71(a)

On August 30, 2016, with Board authorization, the parties filed in
each proceeding a Joint Motion to Terminate. IPR2016-00610, Paper 7;

Cases IPR2016-00610, IPR2016-00612, IPR2016-00613
Patents 8,899,023 B2, 9,032,709 B2, 9,039,982 B2

IPR2016-00612, Paper 7; IPR2016-00613, Paper 7. With the Joint Motions, the parties filed a copy of a written settlement agreement and a Joint Request to have the settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). IPR2016-00610, Paper 8 and Ex. 1014; IPR2016-00612, Paper 8 and Ex. 1018; IPR2016-00613, Paper 8 and Ex. 1014.

These proceedings are at an early stage. The Board has not yet determined whether to institute trial. The parties indicate that they have agreed to resolve their disputes related to the challenged patents. *See, e.g.*, IPR 2016-00612, Paper 7, 1. Under these circumstances, we determine that it is appropriate to dismiss each petition. *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).

As requested by the parties, the settlement agreement will be treated as business confidential information and kept separate from the patent files. 37 C.F.R. § 42.74(c).

In view of the foregoing, it is

ORDERED that the Joint Motions to terminate Cases IPR2016-00610 (Paper 7), IPR2016-00612 (Paper 7), and IPR2016-00613 (Paper 7) are *granted*;

FURTHER ORDERED that the Petitions for *Inter Partes* Review in Cases IPR2016-00610, IPR2016-00612, and IPR2016-00613 are *dismissed*; and

FURTHER ORDERED that the parties' Joint Requests to have their settlement agreement (IPR2016-00610, Ex. 1014; IPR2016-00612,

Cases IPR2016-00610, IPR2016-00612, IPR2016-00613
Patents 8,899,023 B2, 9,032,709 B2, 9,039,982 B2

Ex. 1018; IPR2016-00613, Ex. 1014) treated as business confidential information, to be kept separate from the patent files, are *granted*.

PETITIONER:

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