

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

H&S MANUFACTURING COMPANY, INC.,
Petitioner,

v.

OXBO INTERNATIONAL CORPORATION,
Patent Owner.

Case IPR2016-00950
Patent 8,166,739 B2

Before PHILLIP J. KAUFFMAN, JAMES A. TARTAL, and
KEVIN W. CHERRY, *Administrative Patent Judges*.

TARTAL, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. §§ 42.5(a) and 42.20

On July 31, 2017, Petitioner, H&S Manufacturing Company, Inc., and Patent Owner, Oxbo International Corporation, notified the Board by email that the parties reached a settlement in this proceeding and related litigation, and requested leave to file a joint motion to terminate. The parties also requested cancellation of the oral argument scheduled for August 1, 2017, in this proceeding.

Based on the representation of the parties, we authorize the parties to file a joint motion to terminate the proceeding pursuant to 37 C.F.R.

§ 42.72. The joint motion must: (1) include a brief explanation as to why termination is appropriate; (2) identify all defendants in any related district court litigation involving U.S. Patent No. 8,166,739; and (3) discuss the current status of each such related litigation, if any, with respect to each party to the litigation.

The joint motion to terminate must be accompanied by a true copy of the settlement agreement of the parties, including any collateral agreements, as required by 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). A redacted version of the settlement agreement will not be accepted as a true copy of the settlement agreement. If the settlement agreement is confidential, under 37 C.F.R. § 42.74(c), the parties must file the confidential settlement agreement electronically as an exhibit in accordance with the instructions provided on the Board's website (uploading as "Parties and Board Only"). The parties are directed to FAQ G2 on the Board's website at <https://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/ptab-e2e-frequently-asked-questions> for instructions on how to file a confidential settlement agreement.

Additionally, the oral argument scheduled for August 1, 2017, in this proceeding is cancelled. The joint motion to terminate shall be filed on, or before, August 11, 2017. If a joint motion is not filed by that date, we will schedule a teleconference to determine the status of the proceeding and to reschedule the oral argument if necessary.

For the foregoing reasons, it is hereby:

ORDERED that the oral argument scheduled for August 1, 2017, is cancelled; and,

FURTHER ORDERED that Patent Owner and Petitioner are authorized to file a joint motion to terminate the proceeding pursuant to 37 C.F.R. § 42.72 on, or before, August 11, 2017.

IPR2016-00950
Patent 8,166,739 B2

PETITIONER

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