

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COLLECTIVE MINDS GAMING CO. LTD.,
Petitioner,

v.

IRONBURG INVENTIONS, LTD.,
Patent Owner.

IPR2018-00354 (Patent 8,641,525 B2)
IPR2018-00355 (Patent 9,352,229 B2)
IPR2018-00356 (Patent 9,089,770 B2)
IPR2018-00357 (Patent 9,289,688 B2)¹

Before PHILLIP J. KAUFFMAN, MEREDITH C. PETRAVICK, and
MITCHELL G. WEATHERLY, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

JUDGMENT

Termination Due to Settlement after Institution of *Inter Partes* Review
35 U.S.C. § 317 and 37 C.F.R. §§ 42.72, 42.74

¹ This Order addresses the same or similar issue in the proceedings listed above, and we issue one Order to be filed in each proceeding.

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I. INTRODUCTION

On December 11, 2018, the parties filed joint motions to terminate the instant proceedings (Paper 16²), along with, a true copy of their written settlement agreement made in connection with the termination of the instant proceedings (Ex. 2023). The parties also filed joint requests to treat the settlement agreement as business confidential information. Paper 16, 5. We authorized these filings by email on December 4, 2018. For the reasons set forth below, we grant the motions and requests.

II. DISCUSSION

Under 35 U.S.C. § 317(a), “[a]n *inter partes* review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” The proceedings are in the early stages of trial, we have not yet decided the merits of the challenges presented in the Petition.

In the joint motions to terminate, the parties represent that they have settled their dispute and have reached an agreement that resolves the dispute in this *inter partes* review and all disputes between the parties relating to the patents at issue. Paper 16, 4–5. Upon consideration of the circumstances of this case, we terminate this *inter partes* review as to both Petitioner and Patent Owner without rendering a final written decision. *See* 35 U.S.C. § 317(a) (“If no petitioner remains in the *inter partes* review, the Office may

² For the purposes of this Order, IPR2018-00354 is representative and all citations are to papers in IPR2018-00354 unless otherwise noted.

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terminate the review or proceed to a final written decision under section 318(a).”).

Along with the motion, the parties filed joint requests to treat the settlement agreement as business confidential information and keep it separate from the file of the respective patents involved in this *inter partes* proceeding. Paper 16, 5. We also grant the joint requests to maintain the settlement agreement as business confidential in accordance with 37 C.F.R. § 42.74(c).

III. CONCLUSION

It is:

ORDERED that the joint motions to terminate these proceedings are *granted*, and these proceedings are, hereby, *terminated*; and

FURTHER ORDERED that the parties’ joint requests that the settlement agreement be treated as business confidential information and kept separate from the file of the involved patent under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c) is *granted*.

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