

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDTRONIC, INC.,
Petitioner,

v.

NUVASIVE, INC.,
Patent Owner.

Case IPR2013-00506
Patent 8,361,156 B2

Before SALLY C. MEDLEY, LORA M. GREEN, and STEPHEN C. SIU,
Administrative Patent Judges.

GREEN, *Administrative Patent Judge.*

JUDGMENT

Granting Joint Motion to Terminate after Remand from
the Court of Appeals for the Federal Circuit
35 U.S.C. § 317 and 37 C.F.R. §§ 42.72, 42.74

On April 26, 2017, the Parties filed a Joint Motion to Terminate this proceeding (Paper 56) and a true copy of the Parties' Settlement Agreement (Ex. 2041). As part of their Joint Motion to Terminate, the parties request that we "treat the Settlement Agreement as business confidential information and keep it separate from the file of the involved patent." Paper 56, 1.

In the Joint Motion to Terminate this proceeding, the parties represent that they have settled their disputes regarding U.S. Patent 8,361,156 B2. Paper 56, 1. The present *Inter Partes* Review was vacated and remanded to the Patent Trial and Appeal Board by the U.S. Court of Appeals for the Federal Circuit ("Federal Circuit"). *In Re: Nuvasive, Inc.*, No. 2015-1670, slip op. at 13 (Fed. Cir. December 7, 2016). We determine that it is appropriate to terminate this proceeding without rendering any further decisions. *See* 37 C.F.R. § 42.72.

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the parties' request to treat the Settlement Agreement (Ex. 2041) as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is GRANTED; and

FURTHER ORDERED that the Joint Motion to Terminate this proceeding is GRANTED, and this proceeding is hereby TERMINATED.

IPR2013-00506
Patent 8,361,156 B2

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