

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APEX TOOL GROUP, LLC,
Petitioner,

v.

MILWAUKEE ELECTRIC TOOL CORPORATION,
Patent Owner.

Case No. PGR2020-00056
Patent 10,422,617

JOINT MOTION TO TERMINATE

As authorized by the Board in an email sent on October 6, 2020, pursuant to 37 C.F.R. §§ 42.71 and 42.74, Petitioner and Patent Owner jointly request termination of the proceeding related to the petition for post-grant review of U.S. Pat. No. 10,422,617 (Case. No. PGR2020-00056).

The parties have settled their dispute and executed a settlement agreement to terminate this proceeding.

The parties' settlement agreement is in writing, and a true and correct copy is being filed under 37 C.F.R. § 42.74(b). The parties hereby represent that there are no other agreements, oral or written, between the parties made in connection with, or in contemplation of, the termination of this proceeding.

The parties are also concurrently filing a joint request to treat the settlement agreement as business confidential information and keep it separate from the files of this proceeding and the involved patent under 35 U.S.C. § 327(b) and 37 C.F.R. § 42.74(c).

Dismissal of this proceeding under 35 U.S.C. § 327(a) and 37 C.F.R. § 42.71(a) is proper because the Board has yet to issue an institution decision,

and these proceedings are still at an early stage. *See Samsung Elecs. Co. v. Fundamental Innovation Sys. Int'l, Ltd.*, IPR2018-00605 (PTAB July 16, 2018) (Paper No. 10).

Accordingly, the parties respectfully request termination of this proceeding.

DATED this 6th day of October, 2020.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), it is hereby certified that on October 6, 2020, a copy of this JOINT MOTION TO TERMINATE was sent via email to Petitioner's counsel of record:

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Dated: October 6, 2020

Respectfully Submitted,

/ Marilyn Doris /
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