

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ENZYMOTEC LTD. and ENZYMOTEC USA, INC.
Petitioner

v.

NEPTUNE TECHNOLOGIES AND BIORESOURCES, INC.
Patent Owner

Case IPR2014-00636
Patent 8,278,351

Before LORA M. GREEN, JACQUELINE WRIGHT BONILLA, and
SHERIDAN K. SNEDDEN, *Administrative Patent Judges*.

GREEN, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

On May 7, 2014, and pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74, the parties filed a copy of a settlement (Ex. 2001) agreement along with a joint request to treat the settlement agreement as business confidential, to be separate from the patent file. Paper 10. The parties filed also a joint motion to terminate the proceeding pursuant to 35 U.S.C. § 317. Paper 9.

This case is in the preliminary proceeding¹ stage; no institution of a trial has been made. Based on the facts of this case, it is appropriate to enter judgment.² Therefore, the joint motion to terminate the proceeding is GRANTED.

Accordingly, it is

ORDERED that the parties' request that the settlement agreement be treated as business confidential information, to be kept separate from the patent file, is GRANTED;

FURTHER ORDERED that the joint motion to terminate the proceeding is GRANTED;

FURTHER ORDERED that the proceeding is TERMINATED.

¹ A preliminary proceeding begins with the filing of a petition for instituting a trial and ends with a written decision as to whether trial will be instituted. 37 C.F.R. § 42.2.

² A judgment means a final written description by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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