

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MOD-U-SERVE, INC.,  
Petitioner,

v.

KITCHEN EQUIPMENT FABRICATING COMPANY,  
Patent Owner.

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Case IPR2015-00844  
Patent 8,701,554 B2

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Before WILLIAM V. SAINDON, JAMES A. TARTAL, and  
TINA E. HULSE, *Administrative Patent Judges*.

HULSE, *Administrative Patent Judge*.

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

On August 5, 2015, and pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. § 42.74, the parties filed a copy of a settlement agreement (Paper 14<sup>1</sup>) along with a joint request to treat the settlement agreement as business confidential, to be separate from the patent file (Paper 13). In addition, the parties filed a joint motion to terminate the case under 35 U.S.C. § 317(a). Paper 12.

This case is in an early stage and no institution of a trial has been made. Based on the facts of this case, it is appropriate to terminate the case. Therefore, the joint motion to terminate the case 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 case is GRANTED;

FURTHER ORDERED that the case is TERMINATED.

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<sup>1</sup> We note that the preferred practice is to file the true copy of the settlement agreement as an exhibit, rather than a paper.

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Patent 8,701,554 B2

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