

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTERTHINX, INC.
Petitioner

v.

CORELOGIC SOLUTIONS, LLC
Patent Owner

Case CBM2012-00007
Patent 5,361,201

Before, MICHAEL P. TIERNEY, JONI Y. CHANG, and
BRIAN J. McNAMARA, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

TERMINATION OF PETITIONER PURSUANT TO SETTLEMENT

37 C.F.R. § 42.74

The parties have requested that this trial proceeding be terminated pursuant to a settlement. On October 22, 2013, the Board authorized the parties to file a Joint Request To Terminate and a Joint Request to File the Settlement as Business Confidential under 37 C.F.R. § 42.74(c). Paper No. 43. On October 25, 2013, the parties filed a Joint Motion Terminate And To Seal, Paper No. 44. *See* 35 U.S.C. § 327(a); 37 C.F.R. § 42.72. With their Motion To Terminate and Seal, the parties also filed a copy of a written settlement agreement. Ex. 2029.

A decision by the Board to institute a trial was entered on January 31, 2013. Paper No. 16. This matter was briefed fully and ready for oral hearing at the time the parties moved to terminate. An oral hearing scheduled for October 28, 2013, was cancelled when the parties advised the Board of their impending settlement.

On October 31, 2013, the Board conducted a teleconference with the parties concerning the proposed settlement agreement. On November 7, 2013, the Board received e-mail correspondence from W. Karl Renner, counsel representing Corelogic Solutions, LLC (Patent Owner), confirming that references to termination of the CBM proceeding in the settlement agreement refer to termination with respect to Petitioner, Interthinx, Inc.

Patent Owner has identified ongoing litigation concerning the subject patent captioned *CoreLogic Solutions, LLC, v. Redfin Corp.*, Civil Action No. 2:12-CV-305 (E.D. Tx.). Under these circumstances, the Board determines that it is appropriate to terminate the involvement of Interthinx, Inc. (Petitioner) pursuant to the settlement agreement. However, the Board is not a party to the settlement and may independently determine any question of patentability. 37 C.F.R. § 42.74(a). In view of the advanced stage of the proceeding, rather than terminate the proceeding, the Board will proceed to a final written decision. 35 U.S.C. § 327(a).

Patent Owner may file a request for an oral hearing, if desired. Patent Owner should file such a request not later than November 18, 2013.

It is, therefore,

ORDERED that the joint motion to terminate the involvement of Interthinx, pursuant to the settlement agreement filed with the Board is **GRANTED**;

FURTHER ORDERED that the parties' joint request that the settlement agreement be treated as business confidential information which shall be kept separate from the file of the involved patents under the provisions of 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is **GRANTED**;

FURTHER ORDERED proceeding CBM2012-00007 is not terminated and the Board will proceed to a final written decision; and

FURTHER ORDERED that Corelogic Solutions, LLC may file a Request For Oral Hearing not later than November 15, 2013.

Case CBM2012-00007
Patent 5,361,201

PETITIONER: (via electronic transmission)

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