

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.
Petitioner

v.

FARLIGHT LLC
Patent Owner

Case IPR2013-00238
Patent 8,220,959 B2

Before, STEPHEN C. SIU, JOSIAH C. COCKS, and
BRIAN J. McNAMARA, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

JUDGMENT
TERMINATION OF THE PROCEEDING

37 C.F.R. § 42.73

The parties have requested that this trial proceeding be terminated pursuant to a settlement. On February 25, 2014, 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 24. On February 27, 2014, the parties filed a Joint Motion Terminate and a Joint Request To Keep Paper Separate as Business Confidential Information. Paper 25. *See* 35 U.S.C. § 317; 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. 2009.

A decision by the Board to institute a trial was entered on September 26, 2013. Paper 15. However, this matter was in the preliminary stages at the time the parties moved to terminate and a Patent Owner Response has not yet been filed. The Motion To Terminate identifies three pending litigations involving the subject US Patent No. 8,220,959 B2. Paper 24. One of these cases is settling, the other two remain pending. *Id.* Petitioner is not involved in any of these litigations. Under these circumstances, the Board determines that it is appropriate to enter judgment¹ and terminate the trial without rendering a final written decision. 37 C.F.R. § 42.72.

It is, therefore,

ORDERED that the joint motion to terminate the proceeding is GRANTED and the proceeding is hereby terminated;

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.

¹ A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

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