

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN HONDA MOTOR CO., INC., FORD MOTOR COMPANY,
BMW OF NORTH AMERICA LLC, AND NISSAN NORTH AMERICA INC.,

Petitioner,

v.

VEHICLE OPERATION TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2014-00594
Case IPR2014-00600
Case IPR2014-00601
Case IPR2014-00602
Case IPR2014-00603
Patent 7,145,442 B1¹

Before GLENN J. PERRY, BRIAN J. McNAMARA, and
BART A. GERSTENBLITH, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

JUDGMENT
TERMINATION OF THE PROCEEDING WITH RESEPECT TO AMERICAN
HONDA MOTOR COMPANY, INC.
37 C.F.R. § 42.73

¹ This Order addresses issues that are identical in related cases. Therefore, we exercise our discretion to issue one order in each case. The parties, however, are not authorized to use this style heading in subsequent papers.

American Honda Motor Co., Inc. (“Honda”) and Vehicle Operation Technologies, LLC (“Patent Owner”) have requested that the involvement of Honda in the identified trial proceedings (“the Subject Proceedings”) be terminated pursuant to a settlement. On December 5, 2014, the Board authorized Honda and Patent Owner 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) in each of the Subject Proceedings. On December 8, 2014, Honda and Patent Owner filed a Joint Motion to Terminate with Respect to Honda and a Joint Request to File Settlement Agreement as Business Confidential Information and Keep Separate in each proceeding. *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72. With their Motion to Terminate and Request to File Settlement Agreement as Business Confidential Information and Keep Separate, Honda and Patent Owner also filed a copy of a written settlement agreement² and a stipulated dismissal of co-pending district court litigation.³

A decision by the Board to institute a trial in each of the Subject Proceedings was entered on October 15, 2014. Patent Owner has not filed a Patent Owner Response and briefing in the Subject Proceedings is not complete. Honda indicates that it will not participate further in the Subject Proceedings. A stipulated judgment in favor of Honda has been entered in the co-pending litigation in the district court and Patent Owner has agreed that it will not appeal. Under these

² The settlement agreement was filed as Exhibit 2015 in IPR2014-00594, IPR2014-00601, IPR2014-00602, and IPR2014-00603, and as Exhibit 2014 in IPR2014-00600.

³ The stipulated dismissal was filed as Exhibit 2016 in IPR2014-00594, IPR2014-00601, IPR2014-00602, and IPR2014-00603, and as Exhibit 2015 in IPR2014-00600.

circumstances, the Board determines that it is appropriate to enter judgment⁴ 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.

⁴ A judgment means a final written decision by the Board, or a termination of a proceeding. 37 C.F.R. § 42.2.

IPR2014-00594; -00600; -00601; -00602; -00603
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