

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMERICAN HONDA MOTOR CO., INC.,
Petitioner,

v.

AMERICAN VEHICULAR SCIENCES LLC,
Patent Owner.

Case IPR2014-00620
Patent 8,235,416 B2

Before JAMESON LEE, MICHAEL W. KIM, and
LYNNE E. PETTIGREW, *Administrative Patent Judges*.

PETTIGREW, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.72

On December 31, 2014, American Honda Motor Co., Inc. (“Petitioner”) and American Vehicular Sciences LLC (“Patent Owner”) filed a joint motion to terminate this proceeding. Paper 14. Along with the motion, the parties filed a copy of a written settlement agreement (Ex. 2001)

and a request to treat the settlement agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 15.

Under 35 U.S.C. § 317(a), “[a]n inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.” Further, “[i]f no petitioner remains in the inter partes review, the Office may terminate the review or proceed to a final written decision under section 318(a).” 35 U.S.C. § 317(a).

We instituted *inter partes* review on September 18, 2014. Paper 9. Since institution, the parties have filed no substantive papers, and the parties indicate that no depositions have been taken. Paper 14, 1. Thus, this review is in its early stages.

The parties indicate they have agreed to settle their dispute and have reached an agreement to terminate this review, as memorialized in a written settlement agreement. *Id.*; Ex. 2001. The parties further indicate that U.S. Patent No. 8,235,416 is the subject of the following civil action: *American Vehicular Sciences LLC v. American Honda Motor Co., Inc.*, 2:14-cv-13252 (E.D. Mich.). Paper 14, 2–3. According to the joint motion to terminate, all claims of that civil action will be dismissed with prejudice as a result of the settlement agreement. *Id.* In addition, the parties state that if the Board elects to continue the review in any respect without Petitioner, Patent Owner will not participate in any way in the review. *Id.* at 1–2.

Based on the circumstances presented in this case, we determine it is appropriate to terminate the proceeding with respect to both Petitioner and

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Patent Owner without rendering a final written decision. *See* 37 C.F.R.
§ 42.72.

Accordingly, it is:

ORDERED that the joint motion to terminate the proceeding is
granted;

FURTHER ORDERED that the joint motion to file the settlement
agreement as business confidential information, to be kept separate from the
patent file, is *granted*; and

FURTHER ORDERED that the proceeding is *terminated*.

FOR PETITIONER:

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