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Paper 12
Date: February 23, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TRW AUTOMOTIVE U.S. LLC,
Petitioner,

v.

MAGNA ELECTRONICS, INC.,
Patent Owner.

Case IPR2015-00949
Patent 8,629,768 B2
Case IPR2015-00950
Patent 8,636,393 B2[1]

Before JAMES P. CALVE, RICHARD E. RICE, and
BART A. GERSTENBLITH, *Administrative Patent Judges*.

CALVE, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceedings
35 U.S.C. § 317 and 37 C.F.R. § 42.72

[1] This Order addresses an issue pertaining to both cases. We exercise our discretion to issue a single Decision to be filed in each case. The parties are not authorized to use this style heading for any other papers.

I. DISCUSSION

On February 15, 2016, the parties filed a Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 ("Joint Motion to Terminate") representing that they had settled all of their disputes relating to U.S. Patent Nos. 8,629,768 B2 ("the '768 patent") and 8,636,393 B2 ("the '393 patent"), and jointly requesting termination of *inter partes* reviews in IPR2015-00949 and IPR2015-00950. *See* IPR2015-00949, Paper 11, 2; IPR2015-00950, Paper 13, 2. The parties also represent that they filed a true copy of their Settlement and License Agreement ("Agreement"), and requested that the Agreement be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74. *See* IPR2015-00949, Paper 11, 2 and Ex. 1016; IPR2015-00950, Paper 13, 2 and Ex. 1015. The parties represent that all related, pending district court lawsuits between the parties will be dismissed pursuant to the Agreement. IPR2015-00949, Paper 11, 2–3; IPR2015-00950, Paper 13, 2–3.

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." In addition, "[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 in both proceedings on September 17, 2015. *See* IPR2015-00949, Paper 7; IPR2015-00950, Paper 8. Oral argument has not been conducted in either case, and we have not decided the merits of either case.

Upon consideration of the circumstances of each case, we determine that it is appropriate to terminate both proceedings without rendering a final written decision. *See* 37 C.F.R. § 42.72.

II. ORDER

Accordingly, it is:

ORDERED that the parties' joint request to treat the Settlement and License Agreement (IPR2015-00949, Ex. 1016 and IPR2015-00950, Ex. 1015) as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) is *granted*; and

FURTHER ORDERED that the parties' Joint Motion to Terminate Proceeding Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74 is *granted* in each proceeding, and both proceedings are hereby *terminated*.

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