Trials@uspto.gov
Tel: 571-272-7822

Paper 13
Entered: May 4, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FCA US LLC,
Petitioner,

v.

JACOBS VEHICLE SYSTEMS, INC.,
Patent Owner.

Case IPR2015-01336 (Patent 7,059,282)
Case IPR2015-01338 (Patent 8,820,276)
Case IPR2015-01370 (Patent 6,474,277)

Before RICHARD E. RICE, SCOTT A. DANIELS, and JAMES A. TARTAL, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

JUDGMENT
Termination of Proceedings
37 C.F.R. § 42.72

On March 21, 2016, Petitioner FCA US LLC., ("FCA") and Patent Owner filed a "Joint Motion to Terminate Proceedings Pursuant to 35 U.S.C. § 317" ("Mot."), and "Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317." IPR2015-

01336 Papers 10, 11; IPR2015-01338 Papers 11, 12; IPR2015-01370 Papers 10, 11.[1] The parties also filed, with Board Only accessibility, a true copy of their confidential settlement agreement in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Exhibit 1005.

The Board instituted trial in this proceeding on December 16, 2015, and Patent Owner did not file a Response within the proscribed three month time period. *See* 37 C.F.R. § 42.120. The parties did file, however, the instant joint motion to terminate on March 21, 2016, and thus this proceeding is in its initial stages. The motion states that "[t]he parties have settled their dispute. A settlement agreement has been made in writing, and a true and correct copy shall be filed with this Office as business confidential information pursuant to 35 U.S.C. § 317(b)." Mot. 2. The motion also indicates that the related district court litigation has been dismissed and a related proceeding before the U.S. International Trade Commission has been terminated. *Id*.

Under these circumstances and considering the parties' representations presented in the motion, we determine that it is appropriate to enter judgment.[2] *See* 35 U.S.C. § 317(a); 37 C.F.R. § 42.72.

It is

ORDERED that the parties' joint motions to terminate IPR2015-01336, and IPR2015-01338, and IPR2015-01370 are *granted*;

---

[1] The filings in each of these proceedings are identical, and, therefore, we refer from here on to the filings in case IPR2015-01370.
[2] A *judgment* means a final written decision by the Board, or a *termination* of a proceeding. 37 C.F.R. § 42.2.

FURTHER ORDERED that the instant proceedings are hereby terminated in their entirety; and

FURTHER ORDERED that, as was requested timely by the parties, the settlement agreement in these proceedings will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

For PETITIONER:

Frank C. Cimino, Jr.
Jonathan Falkler
VENABLE LLP
FCA-JVS@venable.com
jlfalkler@venable.com
fccimino@venable.com

For PATENT OWNER:

Andrew M. Riddles
Brian R. Pollack
Cecilia Zhang Stiber
Day Pitney LLP
dp-ipr-jvs@daypitney.com
bpollack@daypitney.com
cstiber@daypitney.com