

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOXX INTERNATIONAL CORPORATION,
Petitioner,

v.

JOHNSON SAFETY, INC.,
Patent Owner.

Case IPR2017-00554
Patent 8,585,140 B2

Before KEVIN W. CHERRY, TIMOTHY J. GOODSON, and
SCOTT C. MOORE, *Administrative Patent Judges*.

GOODSON, *Administrative Patent Judge*.

ORDER

Granting Joint Motion to Terminate After Institution Due to Settlement
35 U.S.C. § 317 and 37 C.F.R. § 42.72

The parties have filed a Joint Motion to Terminate Due to Settlement. *See* Paper 11. The Joint Motion states that the parties have settled their dispute with respect to the '140 patent and that the district court litigations involving the '140 patent have been dismissed. *Id.* at 1. Concurrently with the Joint Motion, the parties also filed Exhibit 2007, which the parties represent is a true and correct copy of the parties' Memorandum of Understanding settling the dispute. *Id.* at 1–2.

Under 35 U.S.C. § 317(a), an *inter partes* review proceeding shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Patent and Trademark Office has decided the merits of the proceeding before the request for termination is filed. In this proceeding, trial was instituted on June 14, 2017. Paper 9. Patent Owner has not yet filed its Response, and the Board has not decided the merits of this proceeding. We grant the Joint Motion to Terminate and terminate this proceeding as to both Petitioner and Patent Owner without rendering a final written decision. *See* 37 C.F.R. § 42.72.

The Parties also jointly request, pursuant to 37 C.F.R. § 42.74(c), that the Memorandum of Understanding in Exhibit 2007 be treated as business confidential information and be kept separate from the files of the involved patent. *See* Paper 11. We grant that request as well.

Accordingly, it is hereby:

ORDERED that the Joint Motion to Terminate this proceeding is *granted* and this proceeding is hereby *terminated*; and

FURTHER ORDERED that the parties' request that Exhibit 2007 be treated as business confidential information and kept separate from the files of the involved patent is *granted*.

IPR2017-00554
Patent 8,585,140 B2

PETITIONER:

Dean McConnell
INDIANO & MCCONNELL LLC
dean@im-iplaw.com

Alastair Warr
FISHER BROYLES LLP
alastair.warr@fisherbroyles.com

PATENT OWNER:

Gregory Howison
Keith Harden
HOWISON & ARNOTT
ghowison@dalpat.com
kharden@dalpat.com