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Paper 11
Entered: February 3, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LYFT, INC.,
Petitioner,

v.

QUARTZ AUTO TECHNOLOGIES LLC,
Patent Owner.

IPR2022-00764
Patent 7,007,013 B2

Before KEN B. BARRETT, LYNNE H. BROWNE, and MIRIAM L. QUINN, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317, 37 C.F.R. § 42.74

On November 14, 2022, we instituted an *inter partes* review of claims 1, 2, 5, 6, 8, 14, 16, and 20 of U.S. Patent No. 7,007,013 B2. Paper 8. On February 2, 2023, with our authorization, the parties filed a "Joint Motion to Terminate Proceedings." Paper 10 ("Joint Motion"). The parties represent in the Joint Motion that they have resolved their disputes as to the challenged patent. Ex. 2005, 1; *see* Joint Motion 1. The Joint Motion was accompanied by a document (Ex. 2005) that the parties represent to be a true copy of the written agreement in connection with this proceeding. Joint Motion 1. The parties certify that "no other agreements, oral or written, exist between the parties in connection with, or in contemplation of, the termination of the proceeding." *Id.*

The parties represent that they "have reached agreement to terminate this *inter partes* review." *Id.* The parties also represent that they "have agreed to partially resolve the litigation styled *Lyft, Inc. v. Quartz Auto Technologies LLC*, Case No. 4:21-cv-01871 (N.D. Cal.) . . . by Quartz dismissing with prejudice its claim against Lyft for infringement of U.S. Patent No. 7,007,013 (the ''013 Patent')," and that the District Court has entered an order dismissing those infringement claims with prejudice. Ex. 2005, 1–2. Patent Owner Quartz further represents that "there are no other patent infringement suits involving the '013 Patent at this time." *Id.* at 2.[1]

[1] The parties identify one other district court case as a related matter, a suit in the District of Delaware, and Petitioner indicates that that case was dismissed without prejudice on September 14, 2021. Paper 7, 1; *see* Paper 4, 2.

The Board generally expects that a case "will terminate after the filing of a settlement agreement, unless the Board has already decided the merits." Patent Trial and Appeal Board Consolidated Trial Practice Guide 86 (Nov. 2019), *available at* https://www.uspto.gov/sites/default/files/documents/tpgnov.pdf; *see* 37 C.F.R. § 42.72. We have not decided yet the merits of this proceeding, and a final written decision has not been entered. Under the circumstances presented here, we determine that it is appropriate to terminate this proceeding with respect to both Petitioner and Patent Owner. Accordingly, we grant the parties' Joint Motion to terminate the proceeding.

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

Accordingly, it is

ORDERED that the "Joint Motion to Terminate Proceedings" is *granted*; and

FURTHER ORDERED that this proceeding is *terminated.*

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