

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORPORATION

Petitioner

v.

INFOGATION CORPORATION

Patent Owner

Case No. IPR2024-00756
U.S. Patent No. 6,292,743

**JOINT MOTION TO DISMISS *INTER PARTES* REVIEW BEFORE
INSTITUTION**

Patent Owner Infogation Corporation (“Infogation”) and Petitioner Toyota Motor Corporation (“Toyota”) have reached a settlement. Pursuant to 35 U.S.C. § 317(a) and 37 C.F.R. §§ 42.72 and 42.74, the parties jointly request dismissal of the *inter partes* review of U.S. Patent No. 6,292,743 (“Patent-in-Suit”), Case No. IPR2024-00756. The parties were authorized to file this Joint Motion by the Board (via email) on October 2, 2024.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a copy of the settlement agreement that resolves the disputes in the above-captioned *inter partes* review relating to the Patent-in-Suit as between Infogation and Toyota is filed herewith as an exhibit. There are no other collateral agreements between the parties made in connection with, or in contemplation of, the dismissal sought.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), Infogation and Toyota are concurrently filing a Joint Request to Keep Separate, which asks the Board to treat the settlement agreement as business confidential information, and to keep it separate from the files of this proceeding and the files of the Patent-in-Suit.

I. STATEMENT OF PRECISE RELIEF REQUESTED

The parties jointly request that the Board dismiss the *inter partes* review of the Patent-in-Suit, IPR2024-00756.

II. DISMISSAL IS APPROPRIATE

Pursuant to 37 C.F.R. § 42.74 and the Board’s e-mail, Toyota requests that its petition be dismissed. *See, e.g., Unified Patents, LLC v. Motion Offense, LLC*, IPR2020-00705, Paper 14 at 2 (PTAB Sept. 23, 2020) (“We agree with Petitioner that dismissal is appropriate under the present circumstances. Our ‘regulations expressly provide the Board with broad authority to dismiss a petition where appropriate.’”). This *inter partes* review is still in its early stages. The Petition was filed on March 29, 2024, and the Board has not yet instituted or decided the merits of the proceeding. Accordingly, dismissal of this proceeding by the Board is appropriate. *See, e.g., Samsung Elecs. Co. v. NVIDIA Corp.*, IPR2015-01270, Paper 11 at 4 (PTAB Dec. 9, 2015) (granting motion to dismiss pre-institution because the proceeding was at an “early juncture” and “to promote efficiency and minimize unnecessary costs”).

The parties requested dismissal of the lawsuits between Infogation and Toyota, the dismissal was ordered by the Court, and Infogation and Toyota do not contemplate any litigation or proceeding involving the Patent-in-Suit in the foreseeable future.

III. CONCLUSION

Infogation and Toyota have settled all disputes relating to the Patent-in-Suit. This *inter partes* review is in an early stage, and the Board had not instituted trial in this proceeding. Accordingly, the parties respectfully request that the Board dismiss this proceeding.

Respectfully submitted,

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Date: OCTOBER 3, 2024

CERTIFICATE OF SERVICE

The undersigned certifies that the above document was served on October 3, 2024, by delivering a copy via electronic mail upon the following correspondence addresses of record as follows:

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