

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HONDA MOTOR CO., LTD.; AND
AMERICAN HONDA MOTOR CO., INC.,
Petitioner

v.
INFOGATION CORPORATION,
Patent Owner

Case No. IPR2024-01160
U.S. Patent No. 6,292,743

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

Patent Owner Infogation Corporation (“Infogation”) and Petitioner Honda Motor Co., Ltd. and American Honda Motor Co., Inc. (collectively, “Honda”) 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. IPR2024-01160. The parties were authorized to file this Joint Motion by the Board (via email) on August 30, 2024.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), a copy of the release agreement that resolves the disputes in the above-captioned *inter partes* review relating to the Patent-in-Suit as between Infogation and Honda 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 Honda are concurrently filing a Joint Request to Keep Separate, which asks the Board to treat the release 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, Case IPR2024-01160.

II. DISMISSAL IS APPROPRIATE

Pursuant to 37 C.F.R. § 42.74, and the Board’s e-mail, Honda 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 July 19, 2024, and the Board has not yet instituted, much less decided the merits of the proceeding. Accordingly, the Board should dismiss this proceeding. *See, e.g., Samsung Elecs. Co. v. NVIDIA Corp.*, IPR2015-01270, Paper 11 at 4 (PTAB Dec. 9, 2015) (granting opposed motion to dismiss before 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 Honda, and Infogation and Honda do not contemplate any litigation or proceeding involving the Patent-in-Suit in the foreseeable future.

III. CONCLUSION

Infogation and Honda 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 let

alone entered a final written decision on the merits in this proceeding. Accordingly, the parties respectfully request that the Board dismiss this proceeding.

Dated: September 4, 2024

Respectfully submitted,

/s/ Benjamin Haber

Benjamin Haber (Reg. No. 67,129)
O'Melveny & Myers LLP
400 South Hope Street, 19th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000
Fax: (213) 430-6407
E-Mail: bhaber@omm.com
Attorney for Petitioner

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on September 4, 2024, by filing this document through the Patent Trial and Appeal Board P-TACTS System, as well as delivering a copy via electronic mail upon the following attorneys of record for Patent Owner:

M. Scott Fuller
Randall Garteiser
Christopher A. Honea
Garteiser Honea, PLLC
119 W. Ferguson Street
Tyler, Texas 75702
Phone: (903) 705-7420
Email: sfuller@ghiplaw.com
Email: rgarteiser@ghiplaw.com
Email: chonea@ghiplaw.com

Dated: September 4, 2024

Respectfully submitted,

/s/ Benjamin Haber

Benjamin Haber (Reg. No. 67,129)
O'Melveny & Myers LLP
400 South Hope Street, 19th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000
Fax: (213) 430-6407
E-Mail: bhaber@omm.com
Attorney for Petitioner