

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORD MOTOR COMPANY,
Petitioner,

v.

CUOZZO SPEED TECHNOLOGIES LLC,
Patent Owner.

Case IPR2014-01393
Patent 6,778,074 B1

Before JAMESON LEE and JOSIAH C. COCKS,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

ORDER
Conduct of Proceedings
37 C.F.R. 42.5

On July 24, 2015, a telephone conference was held. The participants were respective counsel for the parties and Judges Lee and Cocks. The parties requested authorization to file a joint motion to terminate proceeding on the basis of settlement.

Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). Any agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding, including collateral agreements referred to in such agreement or understanding, shall be in writing, and a true copy of the agreement shall be filed with the Board prior to termination. 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(b).

A redacted version of any agreement will not be accepted as a true copy thereof. The parties may request, apart from the joint motion to terminate, that their filed agreement or understanding be treated as business confidential information and kept separate from the underlying patent file, as provided in 35 U.S.C. § 317(b); 37 C.F.R. § 42.74(c).

The joint motion must include an explanation as to why termination is appropriate. Information should be provided on the status of related district court actions in which Patent 6,778,074 has been asserted, with respect to all defendants.

With regard to having any filed agreement or understanding treated as business confidential information and kept separate from the patent file(s) under 37 C.F.R. § 42.74(c), the parties must file the agreement or

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understanding electronically via the Patent Review Processing System (PRPS) in accordance with the instructions provided on the Board's website (uploading as "Parties and Board Only"). Attention of the parties is also directed to FAQ G2 on the Board's website page at <http://www.uspto.gov/ip/boards/bpai/prps.jsp> for instructions on how to file a settlement agreement as confidential. The agreement should be filed as an exhibit, and not an appendix to the joint motion to terminate proceeding.

Accordingly, it is

ORDERED that the parties are authorized to file a joint motion to terminate proceeding with respect to both Petitioner and Patent Owner, as well as a separate request to file agreements or understanding in contemplation of termination as business confidential information; and

FURTHER ORDERED that the motion and the request are due August 3, 2015.

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