

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, MICHAEL P. TIERNEY, and
JOSIAH C. COCKS, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

JUDGMENT
Termination of Proceeding
37 C.F.R. 42.72

On July 29, 2015, Petitioner and Patent Owner filed a joint motion (Paper 15, “Joint Motion to Terminate”) to terminate proceeding under 35 U.S.C. § 317(a), and a joint request (Paper 16, “Joint Request to Keep as Confidential”) to treat settlement agreement as business confidential information and to have the agreement kept separate from the files of the involved patent under 37 C.F.R. § 317(b) and 37 C.F.R. § 42.74(c). The settlement agreement was filed as confidential Exhibit 1014.

Under 35 U.S.C. § 317(a), “[a]n inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed.”

Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement, if the settlement agreement includes all parties. *See, e.g.*, Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). The parties have filed such an agreement. Ex. 1014.

In their motion, the parties indicate that they have settled their dispute with regard to U.S. Patent No. 6,778,074 B1, and Patent Owner represents that no district court litigation involving U.S. Patent No. 6,778,074 B1 remains pending. Mot. 2. Petitioner represents that it will not participate further, even if the Board does not terminate this proceeding. *Id.*

Oral argument has not yet been held. Under these circumstances, we are persuaded that it is appropriate to terminate this proceeding with respect to both Petitioner and Patent Owner.

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Accordingly, it is
ORDERED that the Joint Motion to Terminate is *granted*;
FURTHER ORDERED that this proceeding is terminated with respect
to both Petitioner and Patent Owner; and
FURTHER ORDERED that the Joint Request to Keep as Confidential
is *granted*, and Exhibit 1014 will be kept as confidential business
information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

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