

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FORD MOTOR COMPANY,  
Petitioner,

v.

SPEED MONITORING TECHNOLOGIES LLC,  
Patent Owner.

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Case IPR2014-01500  
Patent 7,389,198 B1

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Before HOWARD B. BLANKENSHIP, KARL D. EASTHOM, and  
LYNNE E. PETTIGREW, *Administrative Patent Judges*.

PETTIGREW, *Administrative Patent Judge*.

DECISION

Termination of the Proceeding  
*37 C.F.R. §§ 42.72, 42.73, 42.74*

I. DISCUSSION

On July 24, 2015, the parties filed a Joint Motion to terminate this proceeding (Paper 16), as well as a Joint Request (Paper 17) to have their settlement agreement treated as business confidential information under

IPR2014-01500  
Patent 7,389,198 B1

35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). The parties also filed a true copy of their settlement agreement. Ex. 1009. The parties indicate in their Joint Motion that termination of this proceeding is appropriate because they have reached an agreement resolving their dispute involving U.S. Patent No. 7,389,198 (“the ’198 patent”). *See* Paper 16, 2. The parties indicate they do not see any further litigation between them relating to the ’198 patent. *Id.* They further certify that there are no collateral agreements or understandings made in connection with the termination of this proceeding. *Id.*

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.” As indicated in the Motion, the parties are requesting termination prior to oral hearing and prior to the Board’s final written decision. Paper 16, 2. We also note that briefing has not been completed, as Petitioner has not filed a Reply to Patent Owner’s Response.

Further, under 37 C.F.R. § 42.74(b), “[a]ny agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be in writing and a true copy shall be filed with the Board before termination of the trial.” As the parties have filed their written settlement agreement, we determine it is appropriate to terminate this proceeding without rendering a Final Written Decision as to the patentability of claims 1–5 and 8–13 of the ’198 patent. *See* 37 C.F.R. §§ 42.72, 42.73, 42.74.

## II. ORDER

Accordingly, it is:

ORDERED that the parties' Joint Motion to terminate this proceeding is *granted*;

FURTHER ORDERED that the parties' Joint Request that the settlement agreement (Ex. 1009) be treated as business confidential information, to be kept separate from the patent file, is *granted*; and

FURTHER ORDERED that this proceeding is *terminated*.

### FOR PETITIONER:

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