

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORD MOTOR COMPANY,
Petitioner,

v.

PAICE LLC & THE ABELL FOUNDATION, INC.,
Patent Owner.

Case IPR2015-00606
Patent 7,237,634 B2

Before SALLY C. MEDLEY, KALYAN K. DESHPANDE, and
CARL M. DEFRANCO, *Administrative Patent Judges*.

DEFRANCO, *Administrative Patent Judge*.

ORDER
Termination of Proceeding
35 U.S.C. § 317 and 37 C.F.R. § 42.72, 42.74

On August 28, 2018, the parties filed a joint motion to terminate this proceeding. Paper 35. Along with the motion, the parties filed copies of written settlement agreements (Exs. 2111, 2112) and a request to treat the settlement agreements as business confidential information (Paper 36).

We entered a Final Written Decision in this proceeding on November 8, 2016, in which we determined that claims 56–65, 68–77, 242–251, 268–

IPR2015-00606
Patent 7,237,634 B2

277, 292, 293, and 298 of U.S. Patent No. 7,237,634 are unpatentable. Paper 33. Patent Owner appealed our determination to the U.S. Court of Appeals for the Federal Circuit. Paper 34. On February 1, 2018, the Federal Circuit vacated our determination as to the above-identified claims, and remanded the proceeding to us for further consideration.¹ *Paice LLC v. Ford Motor Co.*, 881 F.3d 894, 911 (Fed. Cir. 2018).

At this time, we have not finally decided the merits of this proceeding, and, thus, have yet to issue a decision on remand. The parties represent that they have resolved all disputes between them relating to the challenged patent, including the infringement action in the U.S. District Court for the District of Maryland, *Paice LLC v. Ford Motor Co.*, No. 1:14-cv-00492 (D. Md.), and the investigation at the U.S. International Trade Commission, *Certain Hybrid Electric Vehicles and Components Thereof*, Inv. No. 337-TA-1042, both of which have been dismissed as a result of the parties' settlement agreement. Paper 35. Under these circumstances, we determine that termination of this proceeding is appropriate without rendering any further decisions. *See* 37 C.F.R. § 42.72.

Accordingly, it is:

ORDERED that the parties' request to treat the settlement documents (Exhibits 2111, 2112) as business confidential information and to keep them separate from the patent files is *granted*; and

¹ At the same time, the Federal Circuit affirmed our determinations of unpatentability as to claims remaining in dispute in IPRs2015-00792, 00785, and 00801.

IPR2015-00606
Patent 7,237,634 B2

FURTHER ORDERED that the joint motion to terminate this proceeding is *granted*, and this proceeding is hereby *terminated*.

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