

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HYUNDAI MOTOR COMPANY,
Petitioner,

v.

MICHIGAN MOTOR TECHNOLOGIES LLC,
Patent Owner.

Case IPR2018-01061
Patent 6,557,540 B1¹

Before NEIL T. POWELL, BARBARA A. PARVIS,
MICHAEL L. WOODS, and SCOTT B. HOWARD,
*Administrative Patent Judges.*²

PARVIS, *Administrative Patent Judge.*

¹ This Order addresses the same issue in the *inter partes* reviews listed in the Appendix. We exercise our discretion to issue one Order to be docketed in each case. The parties, however, are not authorized to use this style of filing in subsequent papers, without prior authorization.

² This is not an order from an expanded panel of the Board. Judges Parvis, Woods, and Howard are paneled on IPR2018-01061, -01064, -01073, -01075, and -01077. Judges Powell, Parvis, and Woods are paneled on IPR2018-01074 and -01078. Judges Powell, Woods, and Howard are paneled on IPR2018-01063, -01065, and -01072.

ORDER
Granting Joint Motions and Dismissing Proceedings
37 C.F.R. §§ 42.71(a), 42.72, 42.74

Hyundai Motor Company (“Petitioner”) filed Petitions to institute *inter partes* reviews of certain claims of each of the challenged patents listed in the Appendix. Pursuant to 35 U.S.C. § 317, Petitioner and Michigan Motor Technologies LLC (“Patent Owner”) filed a joint motion to terminate in each of the instant proceedings. *See, e.g.*, IPR2018-01061, Paper 5.³ Along with each joint motion, the parties filed a Settlement Agreement. *See, e.g.*, IPR2018-01061, Ex. 1035. The parties also filed in each case a joint request that the settlement agreement be treated as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). *See, e.g.*, IPR2018-01061, Paper 6. We authorized the above filings on September 24, 2018.

The parties represent that they have settled their disputes with respect to each of the challenged patents and memorialized their settlement in the written agreement submitted in each case. *See, e.g.*, IPR2018-01061, Paper 5. The parties state that they have agreed to settle and dismiss their related, co-pending district court lawsuit and have filed a joint stipulation requesting dismissal, with prejudice. *Id.* On this record, no motion by any third party for joinder with these proceedings is pending.

The instant proceedings are still at a preliminary stage. The Board has not yet instituted any trial. Upon consideration of the facts before us, we determine that it is appropriate to dismiss the petitions and the proceedings

³ We cite to IPR2018-01061 herein, except as noted. The paper numbers and exhibit numbers for the other proceedings are listed in the Appendix.

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with respect to both parties. *See* 37 C.F.R. § 42.71(a). Therefore, the joint motions are granted. This paper does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

ORDER

For the foregoing reasons, it is:

ORDERED that the parties' joint request in each proceeding that the settlement agreement (IPR2018-01061, Ex. 1035; IPR2018-01063, Ex. 1015; IPR2018-01064, Ex. 1024; IPR2018-01065, Ex. 1036; IPR2018-01072, Ex. 1019; IPR2018-01073, Ex. 1021; IPR2018-01074, Ex. 1016; IPR2018-01075, Ex. 1021; IPR2018-01077, Ex. 1010; IPR2018-01078, Ex. 1026) be treated as business confidential information and be kept separate from the patent file is *granted*; and

FURTHER ORDERED that the joint motions in the IPR2018-01061, Paper 5; IPR2018-01063, Paper 5; IPR2015-01064, Paper 6; IPR2018-01065, Paper 5; IPR2018-01072, Paper 5; IPR2018-01073, Paper 5; IPR2018-01074, Paper 5; IPR2018-01075, Paper 5; IPR2018-01077, Paper 5; IPR2018-01078, Paper 5 proceedings are *granted* and each of the proceedings is *dismissed*.

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PETITIONER:

Brian C. McCormack
Matt Dushek
BAKER & MCKENZIE LLP
brian.mccormack@bakermckenzie.com
matt.dushek@bakermckenzie.com

PATENT OWNER:

Timothy Devlin
DEVLIN LAW FIRM LLC
tdevlin@devlinlawfirm.com

APPENDIX

<i>Inter Partes</i> Review	U.S. Patent No.	Joint Motion	Joint Request	Agreement
IPR2018-01061	6,557,540 B1	Paper No. 5	Paper No. 6	Ex. 1035
IPR2018-01063	7,487,761 B1	Paper No. 5	Paper No. 6	Ex. 1015
IPR2018-01064	6,581,574 B1	Paper No. 6	Paper No. 7	Ex. 1024
IPR2018-01065	6,757,149 B2	Paper No. 5	Paper No. 6	Ex. 1036
IPR2018-01072	6,988,031 B2	Paper No. 5	Paper No. 6	Ex. 1019
IPR2018-01073	6,571,157 B1	Paper No. 5	Paper No. 6	Ex. 1021
IPR2018-01074	6,644,155 B2	Paper No. 5	Paper No. 6	Ex. 1016
IPR2018-01075	6,561,166 B2	Paper No. 5	Paper No. 6	Ex. 1021
IPR2018-01077	7,143,501 B2	Paper No. 5	Paper No. 6	Ex. 1010
IPR2018-01078	7,116,081 B2	Paper No. 5	Paper No. 6	Ex. 1026