

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR NORTH AMERICA, INC., SUBARU OF AMERICA, INC.,
AMERICAN HONDA MOTOR CO., INC., NISSAN NORTH AMERICA, INC.,
FORD MOTOR COMPANY, JAGUAR LAND ROVER NORTH AMERICA,
LLC, and VOLVO CARS OF NORTH AMERICA, LLC,
Petitioner,

v.

CRUISE CONTROL TECHNOLOGIES LLC,
Patent Owner.

Case IPR2014-00280
Patent 6,324,463

Before JOSIAH C. COCKS, HYUN J. JUNG, and GEORGE R. HOSKINS,
Administrative Patent Judges.

COCKS, *Administrative Patent Judge.*

ORDER

Conduct of the Proceeding
37 C.F.R. § 42.5

1. Introduction

A conference call was held on November 12, 2014 concerning IPR2014-00280 between Judges Cocks, Jung, and Hoskins and counsel for the respective parties. Also present on the call was counsel representing Petitioners in four separate related *inter partes* review proceedings: IPR2014-00279; IPR2014-00281; IPR2014-00289; and IPR2014-00291. The respective Petitioners for those proceedings are summarized as follows:

IPR2014-00279 – Subaru of America, Inc. et al. (“Subaru”)

IPR2014-00281 – Ford Motor Co. et al. (“Ford”);

IPR2014-00289 – America Honda Motor Co., Inc. et al. (“Honda”); and

IPR2014-00291 – Nissan North America, Inc. et al. (“Nissan”).

Patent Owner and Petitioner entity Honda requested the conference call seeking authorization to file a joint motion to terminate Honda’s participation in the five related proceedings referenced above.

2. Discussion

During the call, counsel for Patent Owner explained that Petitioner entity Honda and Patent Owner had settled their dispute involving U.S. Patent 6,324,463, No party on the call expressed any opposition to the request for authorization to file a joint motion to terminate Honda’s participation in the following proceedings: IPR2014-00279; IPR2014-00280; IPR2014-00281; IPR2014-00289; IPR2014-00291. We authorized the motion.

Pursuant to 37 C.F.R. § 42.74, “[a]ny agreement or understanding between the parties made in connection with, or in contemplation of, the termination of a proceeding shall be made in writing and a true copy shall be filed with the Board before termination of the trial.” A party to the settlement may also request that the

settlement be treated as business confidential information. The panel explained that the parties may file any settlement agreement as an exhibit, which may be designated as “Parties and Board Only” or “Board” only in the Board’s electronic Patent Review Processing System (“PRPS”).

During the call, counsel Matthew Satchwell indicated that, with respect to IPR2014-00289, he is currently designated as co-counsel, but would like to be designated as lead counsel in that proceeding. The panel expressed that Mr. Satchwell may do so by updating PRPS. Counsel should also file updated Mandatory Notices that reflect the change in counsel information for any involved proceeding.

3. Order

It is

ORDERED that Patent Owner and Petitioner entity Honda are authorized to file a joint motion to terminate Honda’s participation in IPR2014-00280; and

FURTHER ORDERED that a true copy of any associated settlement agreement must be filed with the Board.

Case IPR2014-00280
Patent 6,324,463

PETITIONER:

William H. Mandir
John F. Rabena
SUGHRUE MION PLLC
wmandir@sughrue.com
jrabena@sughrue.com
Toyota-CCT-IPR@sughrue.com

Matthew D. Satchwell
DLA PIPER LLP (US)
matthew.satchwell@dlapiper.com

John M. Caracappa
STEPTOE & JOHNSON LLP
jcaracap@steptoe.com

Wab Kadaba
KILPATRICK TOWNSEND & STOCKTON LLP
wkadaba@kilpatricktownsend.com

Matthew J. Moore
LATHAM & WATKINS LLP
matthew.moore@lw.com

FOR PATENT OWNER:

John R. Kasha
KASHA LAW LLC
john.kasha@kashalaw.com

Kelly L. Kasha
KASHA LAW LLC
kelly.kasha@kashalaw.com