

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

CRUISE CONTROL TECHNOLOGIES LLC,  
Patent Owner.

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Case IPR2014-00291  
Patent 6,324,463

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

COCKS, *Administrative Patent Judge.*

DECISION

Joint Motion to Terminate the *Inter Partes* Review  
with Respect to Nissan North America, Inc.  
*35 U.S.C. § 317 and 37 C.F.R. § 42.72*

### 1. Introduction

On December 23, 2014, Cruise Control Technologies LLC (“Patent Owner”) and Nissan North America, Inc. (“Nissan”) (collectively referred to as “the Parties”), as authorized<sup>1</sup>, filed a Joint Motion to Terminate this *inter partes* review proceeding with respect to Nissan. Paper 26 (“Joint Motion to Terminate”). Along with the Joint Motion to Terminate, the Parties filed a true copy of their written settlement agreement (Ex. 1011), as well as a joint request (Paper 27) to have their settlement agreement treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

### 2. Discussion

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.” The Parties also state the following in the Joint Motion to Terminate:

Patent Owner and Nissan respectfully submit that termination is appropriate because they have reached an agreement resolving the dispute involving the patent at issue in the above-captioned *Inter Partes* Review, it is prior to full briefing on the issues raised in the above-captioned *Inter Partes* Review, and the Board has not issued a final written decision. Further, Nissan represents that it will no longer participate even if the Board does not terminate its participation in the above captioned *Inter Partes* Review. That means Nissan will file no further papers. It also will not be conducting any further cross examination of Patent Owner’s witnesses and will not be participating in any oral argument.

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<sup>1</sup> The motion was authorized via e-mail correspondence from Board personnel on December 19, 2014.

Joint Motion to Terminate 1.

Upon consideration of the circumstances of this proceeding, the panel has determined to terminate the *inter partes* review (IPR2014-00291) as to Nissan.

3. *Order*

It is

ORDERED that, as was requested timely by the Parties (Paper 27), the settlement agreement (Exhibit 1011) will be treated as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c); and

FURTHER ORDERED that the Joint Motion to Terminate the involvement of Nissan in IPR2014-00291 is *granted*.

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PETITIONER:

Wab Kadaba  
KILPATRICK TOWNSEND & STOCKTON LLP  
[wkadaba@kilpatricktownsend.com](mailto:wkadaba@kilpatricktownsend.com)

Clay Holloway  
KILPATRICK TOWNSEND & STOCKTON LLP  
[wkadaba@kilpatricktownsend.com](mailto:wkadaba@kilpatricktownsend.com)

Matthew D. Satchwell  
DLA PIPER LLP (US)  
[matthew.satchwell@dlapiper.com](mailto:matthew.satchwell@dlapiper.com)

Steven Reynolds  
DLA PIPER LLP (US)  
[matthew.satchwell@dlapiper.com](mailto:matthew.satchwell@dlapiper.com)

William H. Mandir  
SUGHRUE MION PLLC  
[wmandir@sughrue.com](mailto:wmandir@sughrue.com)

John M. Caracappa  
STEPTOE & JOHNSON LLP  
[jcaracap@steptoe.com](mailto:jcaracap@steptoe.com)

Matthew J. Moore  
LATHAM & WATKINS LLP  
[matthew.moore@lw.com](mailto:matthew.moore@lw.com)

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PATENT OWNER:

John R. Kasha  
KASHA LAW LLC  
[john.kasha@kashalaw.com](mailto:john.kasha@kashalaw.com)

Kelly L. Kasha  
KASHA LAW LLC  
[kelly.kasha@kashalaw.com](mailto:kelly.kasha@kashalaw.com)