

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCEDES-BENZ USA, LLC, and
MERCEDES-BENZ U.S. INTERNATIONAL, INC.
Petitioner,

v.

VELOCITY PATENT, LLC,
Patent Owner.

Case IPR2015-00290
Patent 5,954,781

Before JAMESON LEE, GLENN J. PERRY, and PETER P. CHEN,
Administrative Patent Judges.

CHEN, *Administrative Patent Judge.*

ORDER
Dismissing Petition
37 C.F.R. § 42.104

IPR2015-00290
Patent 5,954,781

The Petition is directed to U.S. Patent No. 5,954,781 (“the ’781 patent”), and states: “Petitioner files the present Petition challenging claims 31–32, 61–80, and 82–84 of the ’781 Patent, as currently amended or added in the [pending] reexamination [Control No. 90/013,252] (Ex. 1013).” Pet. 1. Thus, none of the claims challenged by Petitioner is a claim for which an *inter partes* review is provided for by 35 U.S.C. § 311(b) (“[a] petitioner in an inter partes review may request to cancel as unpatentable 1 or more claims of a patent”). The Petition does not identify a cognizable claim under 35 U.S.C. § 312(a)(3) and 37 C.F.R. §§ 42.104(b).

Accordingly, it is

ORDERED that the Petition is *dismissed*.

PETITIONER:

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