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Paper 33
Date: April 11, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NISSAN NORTH AMERICA, INC.,
Petitioner,

v.

JOAO CONTROL & MONITORING SYSTEMS, LLC,
Patent Owner.

VOLKSWAGEN GROUP OF AMERICA, INC.,
Petitioner,

v.

JOAO CONTROL & MONITORING SYSTEMS, LLC,
Patent Owner.

Case IPR2015-01585 Case IPR2015-01613[1]
Patent 5,917,405

Before DAVID C. MCKONE, STACEY G. WHITE, and BETH Z. SHAW, *Administrative Patent Judges*.

WHITE, *Administrative Patent Judge.*

ORDER
Lifting Stay of Ex Parte Reexamination No. 90/013,300
35 U.S.C. § 315(d) and 37 C.F.R. §§ 42.3, 42.122(a)

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[1] This Decision addresses the same issues in the above-identified cases. Therefore, we exercise our discretion to issue one Decision to be entered in each of the identified cases. The parties are not authorized to use this style of case caption.

The panel stayed *Ex Parte* Reexamination No. 90/013,300 ("300 Reexam"), the co-pending *ex parte* reexamination of U.S. Patent No. 5,917,405 ("the '405 patent"), the patent challenged in IPR2015-01585 and IPR2015-01613. IPR2015-01585 Paper 25, IPR2015-01613 Paper 16. Final Written Decisions have been issued holding that Nissan North America, Inc., has shown claims 1–3, 11, 16, and 17 (IPR2015-01585 Paper 32, 35) of the '405 patent to be unpatentable and Volkswagen Group of America, Inc., has shown claims 1–3, 7, 8, 11, 12, 14, 16, 17, 19, and 20 (IPR2015-01613 Paper 22, 22) and of the '405 patent to be unpatentable.

Under 37 C.F.R. § 42.71(d)(2), a party dissatisfied with a final decision of the Board must file its request for rehearing within 30 days. The 30-day deadline for filing a request for rehearing has passed, and no party has filed such a request. In addition, no party has filed a notice appeal as required by 35 U.S.C. § 142 and 37 C.F.R. §§ 90.2(a) and 90.3. Accordingly, it is now appropriate to lift the stay of Reexamination Control No. 90/013,300.

ORDER

Accordingly, it is

ORDERED that the stay of Reexamination 90/013,300, is hereby lifted; and

FURTHER ORDERED that all time periods in Reexamination 90/013,300 are hereby restarted.

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