

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HYUNDAI MOTOR COMPANY LTD., HYUNDAI MOTOR AMERICA,
HYUNDAI MOTOR MANUFACTURING ALABAMA, LLC, KIA
MOTORS CORPORATION, KIA MOTORS AMERICA, INC., KIA
MOTORS MANUFACTURING GEORGIA, INC., NISSAN NORTH
AMERICA, INC., NISSAN MOTOR CO., LTD., and AMERICAN
HONDA MOTOR CO., INC.,
Petitioner,

v.

BLITZSAFE TEXAS, LLC,
Patent Owner.

Case IPR2016-00418¹
Patent 8,155,342 B2

Before JAMESON LEE, MIRIAM L. QUINN, and KERRY BEGLEY,
Administrative Patent Judges.

QUINN, *Administrative Patent Judge.*

DECISION
Granting Termination as to Petitioner Toyota Motor Corporation
37 C.F.R. § 42.72

¹ Cases IPR2016-01533, IPR2016-01557, and IPR2016-01560 have been
joined with this proceeding.

On authorization from the Board, Petitioner Hyundai Motor Company Ltd., Hyundai Motor America, Hyundai Motor Manufacturing Alabama, LLC, Kia Motors Corporation, Kia Motors America, Inc., and Kia Motors Manufacturing Georgia, Inc. (“Hyundai/Kia entities”) and Patent Owner filed, on February 17, 2017, a Joint Motion to Terminate. Paper 40. The written settlement agreement, made in connection with the termination of the instant proceeding, is filed in the record as Exhibit 2015, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Exhibit 2015. Additionally, the Hyundai/Kia entities and Patent Owner submitted a joint request 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). Paper 41. The filings convey that the Hyundai/Kia entities and Patent Owner have settled their dispute and have agreed to request termination of the instant proceeding. Paper 40, 1. The filings also state that the Hyundai/Kia entities and Patent Owner have moved to dismiss the related district court litigation, which was pending in the U.S. District Court for the Eastern District of Texas. *Id.*

Although this proceeding is in a late stage and we have heard oral argument, the Board has not yet issued a Final Written Decision, which is not due for another four months. However, several other entities will remain as Petitioner in this proceeding. Therefore, although the motion requests termination of the proceeding as to both the Hyundai/Kia entities and Patent Owner, it would not be appropriate at this juncture, with other entities remaining, to terminate either the proceeding in its entirety or Patent Owner’s participation. Upon consideration of the requests before us, we determine that terminating the instant proceeding with respect to only the Hyundai/Kia entities is proper.

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Accordingly, it is:

ORDERED that the joint motion to terminate IPR2016-00418 is *granted in part*;

FURTHER ORDERED that the instant proceeding is hereby *terminated* as to the Hyundai/Kia entities only; and

FURTHER ORDERED that the joint request that the settlement agreement between the Hyundai/Kia entities and Patent Owner be treated as business confidential information, kept separate from the patent file, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted*.

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