

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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 American Honda Motor Co., Inc.
37 C.F.R. § 42.72

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

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On authorization from the Board, Petitioner American Honda Motor Co. (“Honda”) and Patent Owner filed, on March 2, 2017, a Joint Motion to Terminate. Paper 44. The written settlement agreement, made in connection with the termination of the instant proceeding, is filed in the record as Exhibit 2016, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Exhibit 2016. Additionally, Honda and Patent Owner submitted a joint request to have their settlement agreement treated as confidential business information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c). Paper 45. The filings convey that the parties have settled their dispute and have agreed to request termination of the instant proceeding. Paper 44, 1. The filings also state that the parties have settled their dispute and filed motions 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, one more entity remains as Petitioner in this proceeding. Therefore, although the motion requests termination of the proceeding as to both Honda and Patent Owner, it would not be appropriate at this juncture, with another entity 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 Honda is proper.

Accordingly, it is:

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

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FURTHER ORDERED that the instant proceeding is hereby *terminated* as to Petitioner American Honda Motor Co. only; and

FURTHER ORDERED that the joint request that the settlement agreement between American Honda Motor Co. 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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