

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TELETRAC INC.,
NAVMAN WIRELESS NORTH AMERICA, LTD.,
GEOTAB INC., AND
TV MANAGEMENT, INC., D/B/A GPS NORTH AMERICA,
Petitioners,

v.

PERDIEMCO LLC,
Patent Owner.

Case IPR2016-01061 (Patent 8,223,012 B1)
Case IPR2016-01062 (Patent 8,493,207 B2)
Case IPR2016-01063 (Patent 8,717,166 B2)
Case IPR2016-01064 (Patent 9,003,499 B2)¹

Before WILLIAM V. SAINDON, CARL M. DeFRANCO, and
AMBER L. HAGY, *Administrative Patent Judges*.

HAGY, *Administrative Patent Judge*.

ORDER

Terminating *Inter Partes* Review Prior to Institution With Respect to
Petitioners Teletrac Inc. and Navman Wireless North America, Ltd.
37 C.F.R. §§ 42.71(a), 42.74

¹ This order addresses joint motions to terminate as to Petitioners Teletrac Inc. and Navman Wireless North America, Ltd., based on settlement agreements filed in all four cases. We exercise our discretion to issue a single order to be entered in each case.

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1. Introduction

These cases are in a preliminary stage. Patent Owner PerdiemCo LLC (“Patent Owner”) has not yet filed Preliminary Responses, and the Board has not yet issued decisions on whether to institute the proceedings.

On August 15, 2016, pursuant to Board authorization, Patent Owner and Petitioners Teletrac Inc. and Navman Wireless North America, Ltd. (collectively, “Teletrac”) filed joint motions to terminate the proceedings with respect to Teletrac. IPR2016-01061, Paper 12; IPR2016-01062, Paper 11; IPR2016-01063, Paper 11; IPR2016-01064, Paper 11. Along with the motion, the parties filed a copy of a document they describe as their written settlement agreement, as well as a separate joint request to treat the settlement agreement as business confidential information. IPR2016-01061, Paper 13 and Ex. 2002; IPR2016-01062, Paper 12 and Ex. 2002; IPR2016-01063, Paper 12 and Ex. 2002; IPR2016-01064, Paper 12 and Ex. 2002. *See* 37 C.F.R. § 42.74(c) (a party to a settlement may request that the settlement agreement be treated as business confidential and be kept separate from the patent file).

2. Discussion

The Parties state the following in the Joint Motion to Terminate: “Patent Owner and Teletrac settled their dispute and executed a confidential settlement agreement to terminate Teletrac’s involvement in this proceeding and the parties’ related district court litigation” IPR2016-01061, Paper

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12, 2; IPR2016-01062, Paper 11, 2; IPR2016-01063, Paper 11, 2; IPR2016-01064, Paper 11, 2.

Under these circumstances, we determine that it is appropriate to terminate each of these proceedings as to Teletrac Inc. and Navman Wireless North America, Ltd. *See* 37 C.F.R. §§ 42.5(a), 42.71(a).

After reviewing the parties' settlement agreement, we find that the settlement agreement contains business confidential information regarding the terms of the settlement and good cause exists to treat the settlement agreement as business confidential information pursuant to 37 C.F.R. § 42.74(c).

3. *Order*

It is

ORDERED that the Joint Motion to Terminate the Proceedings as to Petitioners Teletrac Inc. and Navman Wireless North America, Ltd., is *granted*;

FURTHER ORDERED that termination is *granted* as to Teletrac Inc. and Navman Wireless North America, Ltd., only, and these proceedings shall continue with Geotab Inc. and TV Management, Inc., d/b/a GPS North America, as Petitioners;

FURTHER ORDERED that the joint request to treat the parties' settlement agreements as business confidential information is *granted* in each proceeding, and the settlement agreements (Exhibit 2002 in IPR2016-01061; Exhibit 2002 in IPR2016-01062; Exhibit 2002 in IPR2016-01063; Exhibit 2002 in IPR2016-01064) shall be treated as business confidential

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information under 37 C.F.R. § 42.74(c), kept separate from the files of U.S. Patent Nos. 8,223,012 B1; 8,493,207 B2; 8,717,166 B2; and 9,003,499 B2, respectively, and remain designated as “Board and Parties Only.”

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