

IPR2016-01070
Patent 7,245,274

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JOHNSON SAFETY, INC.,
Petitioner,

v.

VOXX INTERNATIONAL CORPORATION,
Patent Owner.

Case IPR2016-01070
Patent 7,245,274

**JOINT MOTION TO TERMINATE PROCEEDING
DUE TO SETTLEMENT AND TO TREAT AGREEMENT AS BUSINESS
CONFIDENTIAL INFORMATION**

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EXHIBIT LIST

Ex.	Description
1018	Order dated May 2, 2017 Dismissing Case 5:14-cv-02591-ODW-DTB
1019	Order dated May 3, 2017 Dismissing Case 2:17-cv-00358-ODW-DTB
1020	Memorandum of Understanding

Pursuant to 35 U.S.C. § 317(a), Johnson Safety, Inc. (“Petitioner”) and Voxx International Corporation (“Patent Owner”) (collectively, “Parties”) jointly request termination of this proceeding, No. IPR2016-01070.

Petitioner and Patent Owner have settled their dispute with respect to the patent challenged in this proceeding. Further, all of the matters related to the challenged patent, excluding *inter partes* review proceedings, have been dismissed. The parties to the district court litigations involving the challenged patent filed Joint Motions to Dismiss with Prejudice, and the court in those proceedings issued orders dated May 2, 2017 and May 3, 2017 dismissing the actions with prejudice (*see* Exs. 1018 and 1019), ensuring that the actions are finally and completely dismissed.

The Parties’ Memorandum of Understanding has been made in writing, and a true and correct copy of the Memorandum of Understanding between the Parties is filed concurrently herewith as Exhibit 1020 pursuant to 35 U.S.C. § 317(b), 37 C.F.R. § 42.74(b), and pursuant to the Board’s email authorization to file a joint motion to terminate these proceedings dated August 2, 2017. The Parties’ agreement to request termination of this proceeding appears in paragraph 9 of the Memorandum of Understanding. The Parties jointly request that the Memorandum of Understanding be treated as business confidential information and be kept separate from the file of the patent at issue. In accordance therewith, pursuant to

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the Board's instructions, the Parties have filed the confidential Memorandum of Understanding for the "Parties and Board Only." The Parties further certify that there are no collateral agreements or understandings made in connection with the termination of the present *inter partes* review proceeding.

Termination of this proceeding is appropriate because the Board has not rendered a written decision. The Board recognizes that "[t]here are strong public policy reasons to favor settlement between the parties to a proceeding," including preserving the Board's and Parties' resources. *See* Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,768 (Aug. 14, 2012). Termination of this proceeding as a result of the Parties' settlement here supports those public policy concerns.

Therefore, Petitioner and Patent Owner respectfully request termination of this proceeding.

Dated: August 3, 2017

Respectfully submitted,

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Lead Counsel For Johnson Safety, Inc.

Lead Counsel for Voxx International Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Joint Motion to Terminate the Proceeding Due to Settlement and to Treat Agreement as Business Confidential Information, pursuant to 37 C.F.R. § 42.6(e), was served via electronic mail on August 3, 2017, in its entirety on the following:

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