

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.,
Petitioner,

v.

BLITZSAFE TEXAS, LLC,
Patent Owner.

Case IPR2016-01445
Patent 8,155,342 B2

Before JAMES T. MOORE, MIRIAM L. QUINN, and
KERRY BEGLEY, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

DECISION
Granting Joint Motion to Dismiss Petition
37 C.F.R. §§ 42.71(a), 42.74

I. BACKGROUND

On July 20, 2016 Petitioner, Volkswagen Group of America, Inc.¹, filed a Petition requesting an *inter partes* review of claims 49–57, 62–64, 66, 68, 70, 71, 73–80, 94, 95, 97, 99–103, 106, 109–111, 113, 115, and 120 of U.S. Patent No. 8,155,342 B2 (“the ’342 patent”). Paper 2 (“Pet.”). Patent Owner, Blitzsafe Texas, LLC, filed a Preliminary Response. Paper 6 (“Prelim. Resp.”).

On January 27, 2017, Petitioner and Patent Owner filed an unopposed Motion to Dismiss the Petition. Paper 8. Furthermore, Petitioner and Patent Owner filed a Joint Request to have their agreement treated as business confidential information under 37 C.F.R. § 42.74(c) and kept separate from the file of the involved patent. Paper 9. Petitioner and Patent Owner also filed a true copy of their written agreement. Ex. 2004. Petitioner and Patent Owner jointly represent that “[t]he *inter partes* review has not been instituted and the Parties have settled their dispute and have agreed to request termination of this *inter partes* review proceeding.” Paper 8, 2. Petitioner and Patent Owner contend that dismissal of the Petition is appropriate at this early stage because a decision whether to institute trial has not been issued. *Id.*

Petitioner and Patent Owner have demonstrated that dismissal of the Petition is warranted, and we grant Petitioner and Patent Owner’s Motion. *See* 37 C.F.R. § 42.71(a) (petitions are dismissible). We also grant the parties’ request to have their agreement treated as business confidential information pursuant to 37 C.F.R. § 42.74(c).

¹ A subsidiary of Volkswagen, AG. Pet. 1.

II. ORDER

Accordingly, it is:

ORDERED that the parties' Joint Motion is granted and the Petition is dismissed; and

FURTHER ORDERED that the parties' Joint Request that their agreement (Ex. 2004) be treated as business confidential information under 37 C.F.R. § 42.74(c) is granted.

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