

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 IPR2016-01449
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

Volkswagen Group of America, Inc.¹ (“Petitioner”) filed a Petition requesting *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 (“challenged claims”) of U.S. Patent No. 8,155,342 B2 (Ex. 1001, “the ’342 patent”). Paper 2 (“Pet.”). Blitzsafe Texas, LLC (“Patent Owner”) filed a Preliminary Response to the Petition. Paper 6 (“Prelim. Resp.”).

On January 27, 2017, Petitioner and Patent Owner filed an unopposed Motion to Dismiss the Petition. Paper 7. 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). Paper 8. Petitioner and Patent Owner also filed a true copy of their written agreement.

Ex. 2003. 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 7, 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. 1011) be treated as business confidential information under 37 C.F.R. § 42.74(c) is granted.

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