

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NISSAN NORTH AMERICA, INC. and NISSAN MOTOR CO., LTD,
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 Motion to Terminate Proceeding
37 C.F.R. § 42.72

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

On authorization from the Board, Nissan North America, Inc. and Nissan Motor Co., Ltd. (“Petitioner”) and Patent Owner filed, on March 7, 2017, a Joint Motion to Terminate. Paper 48. The written settlement agreement, made in connection with the termination of the instant proceeding, is filed in the record as Exhibit 2017, in accordance with 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b). Exhibit 2017. Additionally, Petitioner 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 49. The filings convey that the parties have settled their dispute and have agreed to request termination of the instant proceeding. Paper 48, 1. The filings also state that the parties have filed a motion 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. With the exception of Petitioner, as identified above, and Patent Owner, the Board has terminated all other remaining entities. Papers 42, 43, and 46. Therefore, when terminating the participation of Petitioner, no other entity will remain as Petitioner. Under the circumstances of this case, and on the record now before us, we exercise our discretion to terminate this proceeding in its entirety.

Accordingly, it is:

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

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FURTHER ORDERED that the instant proceeding is hereby *terminated* as to Petitioner and Patent Owner;

FURTHER ORDERED that the instant proceeding, and all the joined proceedings (IPR2016-01533, IPR2016-01557, and IPR2016-01560), are closed; and

FURTHER ORDERED that the joint request that the settlement agreement between Petitioner 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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