

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.,

Petitioner,

v.

PAICE LLC and
THE ABELL FOUNDATION, INC.,

Patent Owner.

Case IPR2017-00233

Patent 7,237,634

JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW

Pursuant to 35 U.S.C. § 317(a), the Petitioner and Patent Owner jointly request termination of this *inter partes* review, which is directed at U.S. Patent No. 7,237,634.

Termination of this review is appropriate because the parties have resolved their dispute and have reached an agreement to, among other things, terminate this review. Ex. 1012, Settlement Agreement (submitted as business confidential information pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c)). “Generally, the Board expects that a proceeding will terminate after the filing of a settlement agreement.” *Oracle Corp. v. Cmty. United IP, LLC*, CBM2013-00015, Paper 13 (July 25, 2013) (citing Office Patent Trial Practice Guide, 77 Fed. Reg. 48756, 48765–66 (Aug. 14, 2012)). The petition for review was filed on November 14, 2016 and the Board has not yet rendered decisions regarding whether trial will be instituted. Thus, the Board has not yet reached any decision on the merits of the proceeding. Termination at this early juncture promotes efficiency, conserves Board resources and minimizes unnecessary costs.

On December 19, 2016, the parties advised the Board that they have reached a settlement, and sought authorization to file a joint motion to terminate the proceeding. The Board authorized the filing of a joint motion to terminate this proceeding on January 30, 2017. Per the Board’s January 30, 2017 Order, a true copy of the parties’ confidential written settlement agreement is being filed as an

exhibit contemporaneously with this joint motion to terminate. The settlement agreement is being filed for access by the “Parties and Board Only.” The parties desire that the settlement agreement be maintained as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), and a separate joint request for such is being filed contemporaneously.

Respectfully Submitted,

Dated: February 2, 2017

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CERTIFICATE OF SERVICE

The foregoing Joint Motion to Terminate *Inter Partes* Review was served on February 2, 2017, via email upon the following:

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