

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC., MAZDA MOTOR OF
AMERICA, INC., SUBARU OF AMERICA, INC.,
and VOLVO CAR USA, LLC,
Petitioners

v.

STRATOSAUDIO, INC.,
Patent Owner

Case IPR2021-00716
Patent No. 8,688,028

**JOINT MOTION TO TERMINATE PROCEEDING WITH RESPECT TO
MAZDA MOTOR OF AMERICA, INC.
PURSUANT TO 35 U.S.C. § 317**

Pursuant to 35 U.S.C. § 317(a), Mazda Motor of America, Inc. (“Mazda”) and StratosAudio, Inc. (“Patent Owner”) jointly request termination of Mazda’s involvement in IPR2021-00716, which is directed to U.S. Patent No. 8,688,028 (the “’028 Patent”). Mazda and Patent Owner note that the grant of this motion will not result in the termination of this *inter partes* review because Petitioners Volkswagen Group of America, Inc., Subaru of America, Inc. and Volvo Car USA, LLC are not requesting termination of this *inter partes* review. The parties were authorized to file this Joint Motion by the Board (via email) on June 9, 2022.

A settlement agreement between Mazda and Patent Owner has been made in writing, and a true copy of the same is attached as Exhibit 2024. There are no other collateral agreements between the parties made in connection with, or in contemplation of, the termination sought. The parties desire that the settlement agreement be maintained as business confidential information (including with respect to other entities constituting Petitioner) under 37 C.F.R. § 42.74(c) and a separate joint request to that effect is being filed herewith.

The ’028 Patent is asserted in the following pending litigations:

Caption	Case No.	Defendant	Status
<i>StratosAudio, Inc. v. Subaru of America, Inc.</i>	6:20-cv-1128 (WDTX)	Subaru of America, Inc.	Pending

<i>StratosAudio, Inc. v. Volvo Cars of North America, LLC et al.</i>	6:20-cv-1129 (WDTX)	Volvo Cars USA, LLC	Pending
<i>StratosAudio, Inc. v. Hyundai Motor America</i>	2:22-cv-1712 (CDCA)	Hyundai Motor of America	Pending

In accordance with 35 U.S.C. § 317(a), because Patent Owner and Mazda jointly request this termination as to Mazda's involvement in this *inter partes* review, no estoppel under 35 U.S.C. § 315(e) shall attach to Mazda.

Mazda will not further participate in these proceedings.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was served on July 21, 2022, by delivering a copy by email to the attorneys of record for the Petitioner Mazda Motor of America, Inc. at the following email addresses:

**JOINT MOTION TO TERMINATE PROCEEDING
WITH RESPECT TO MAZA MOTOR OF
AMERICA, INC. PURSUANT TO
35 U.S.C. § 317**

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