

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.,
and SUBARU OF AMERICA, INC.,
Petitioners

v.

STRATOSAUDIO, INC.,
Patent Owner

Case IPR2021-00721
Patent No. 8,166,081

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

Pursuant to 35 U.S.C. § 317(a), Subaru of America, Inc. (“Subaru”) and StratosAudio, Inc. (“Patent Owner”) (collectively the “Parties”) jointly request termination of Subaru’s involvement in IPR2021-00721, which is directed to U.S. Patent No. 8,166,081 (the “’081 Patent”). Subaru and Patent Owner note that the grant of this motion will not result in the termination of this *inter partes* review because Petitioner Volkswagen Group of America, Inc. is not requesting termination of this *inter partes* review. The Parties were authorized to file this Joint Motion by the Board (via email) on October 14, 2022.

A settlement agreement between Subaru and Patent Owner has been made in writing, and a true copy of the same is attached as Exhibit 2026. 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 ’081 Patent is asserted in the following pending litigations:

Caption	Case No.	Defendant	Status
<i>StratosAudio, Inc. v. Volkswagen Group of America, Inc.</i>	2:22-cv-10524 (EDMI)	Volkswagen Group of America, Inc.	Stayed pending <i>inter partes</i> review

<i>StratosAudio, Inc. v. Hyundai Motor America</i>	2:22-cv-01712 (CDCA)	Hyundai Motor America	Stayed pending <i>inter partes</i> review
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In accordance with 35 U.S.C. § 317(a), because Patent Owner and Subaru jointly request this termination as to Subaru's involvement in this *inter partes* review, no estoppel under 35 U.S.C. § 315(e) shall attach to Subaru.

Subaru will not further participate in these proceedings.

Respectfully submitted,

/John Scheibeler/

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing

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PURSUANT TO 35 U.S.C. § 317**

was served on October 20, 2022, by delivering a copy by email to the attorneys of record for the Petitioner Subaru of America, Inc. at the following email addresses:

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