

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

Volkswagen Group of America, Inc.,

Petitioner

v.

Scramoge Technology Ltd.,

Patent Owner

Patent No. 7,825,537  
Filing Date: November 14, 2008  
Issue Date: November 2, 2010

Title: Inductive Power Transfer System and Method

---

*Inter Partes* Review No. IPR2022-01559

---

**JOINT MOTION TO TERMINATE PROCEEDING**

## INTRODUCTION

Petitioner Volkswagen Group of America, Inc. and Patent Owner Scramoge Technology Ltd. have made an agreement that resolves all underlying disputes between the parties, including this proceeding. In an email dated April 4, 2023, the Board authorized the parties to file a joint motion to terminate this proceeding and a joint motion to file their settlement agreement as business confidential information.

As required by the Board, the parties are submitting a true copy of the settlement agreement as Exhibit 1037, along with this Joint Motion to Terminate Proceeding and a Joint Motion to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b). The parties have agreed to waive service of the agreement.

The parties jointly certify that, aside from the settlement agreement, there are no collateral agreements or understandings made in connection with or in contemplation of terminating this proceeding. The settlement agreement filed as Exhibit 1037 supersedes any other agreements or term sheets that may relate to the termination of this proceeding.

**STATUS OF PROCEEDINGS**

The following are the only proceedings either between the parties in the United States or that involve the subject patent:

<b>District Court Cases</b>	<b>U.S. Patent Nos.</b>	<b>Status</b>
<i>Scramoge Technology Limited v. Volkswagen AG</i> , Case No. 2-22-cv-10730 (E.D. Mich.)	7,825,537	Joint motion to dismiss in view of settlement is forthcoming.
	10,193,392	
	10,243,400	
	10,546,685	

<b>PTAB Cases</b>	<b>U.S. Patent No.</b>	<b>Status</b>
IPR2022-01559	7,825,537	Above-captioned proceeding; this motion to terminate is filed.
IPR2022-00529	10,193,392	Joint motion to sever joinder and terminate proceeding with respect to co-petitioner Volkswagen filed in IPR2022-01309.
IPR2022-01309	10,193,392	Joint motion to terminate being filed same day as this joint motion to terminate.
IPR2022-01543	10,243,400	Joint motion to terminate being filed same day as this joint motion to terminate.
IPR2022-01354	10,546,685	Joint motion to terminate being filed same day as this joint motion to terminate.

## RELIEF REQUESTED

Petitioner and Patent Owner jointly request that the Board terminate this proceeding in its entirety in view of the agreement the parties are filing. That agreement ends all patent disputes between the parties, including this proceeding.

Both Congress and the federal courts have expressed a strong interest in encouraging settlement in litigation. *See, e.g., Delta Air Lines, Inc. v. August*, 450 U.S. 346, 352 (1981) (“The purpose of [Federal Rule of Civil Procedure] 68 is to encourage the settlement of litigation.”); *Bergh v. Dept. of Transp.*, 794 F.2d 1575, 1577 (Fed. Cir. 1986) (“The law favors settlement of cases.”), *cert. denied*, 479 U.S. 950 (1986). The U.S. Court of Appeals for the Federal Circuit also places a particularly strong emphasis on settlement. *See Cheyenne River Sioux Tribe v. US.*, 806 F.2d 1046, 1050 (Fed. Cir. 1986) (noting that the law favors settlement to reduce antagonism and hostility between parties). Moreover, the Board generally expects that a proceeding will terminate after the filing of a settlement. *See, e.g., Office Patent Trial Practice Guide*, 77 Fed. Reg. 48,756, 46,768 (Aug. 14, 2012).

Maintaining this proceeding after settlement between Patent Owner and Petitioner would discourage future settlements by removing a primary motivation for settlement, which is eliminating litigation risk by resolving the parties’ disputes and ending the pending proceedings between them. For patent owners, litigation risks include the potential for an invalidity ruling against their patents. If a patent

owner knows that an *inter partes* review will likely continue regardless of settlement, it creates a strong disincentive for the patent owner to settle.

### CONCLUSION

For the forgoing reasons, Petitioner and Patent Owner jointly request that the Board terminate this proceeding in its entirety.

Respectfully submitted,

Dated: April 5, 2023

By: /Elliot C. Cook/  
Elliot C. Cook, Reg.# 61,769  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
1875 Explorer Street, Suite 800  
Reston, VA 20190-6023  
Telephone: (571) 203-2738  
Facsimile: (202) 408-4400

***Lead Counsel for Petitioner***

Dated: April 5, 2023

By: /Brett Cooper/  
Brett Cooper, Reg.# 55,085  
BC LAW GROUP, P.C.  
200 Madison Avenue, 24<sup>th</sup> Floor  
New York, NY 10016  
Telephone: (212) 951-0100  
bcooper@bc-lawgroup.com

***Lead Counsel for Patent Owner***

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.