

## VW To Settle Part Of Cellular Tech Patent Fight With Neo

By **Kelly Lienhard**

*Law360 (December 18, 2023, 5:56 PM EST)* -- Volkswagen has agreed to settle infringement claims from Neo Wireless over a group of patents for in-vehicle cellular technology, but is still fighting the validity of some of the claims at the Patent Trial and Appeal Board.

Both Volkswagen and Neo said in a joint request to a Michigan federal court on Friday that they have reached an agreement to settle and are working toward a deal, but are asking for a one-month stay of the case due to the holiday season.

If the two companies are unable to reach a formal settlement by Jan. 15, they told the court they would jointly propose an adjusted case schedule.

Volkswagen is just one of several automotive companies fighting infringement claims from Neo in court.

Neo initially sued Volkswagen, along with Tesla Inc., General Motors Co., Toyota Motor North America Inc., Ford Motor Co., American Honda Motor Co. Inc., Mercedes-Benz USA LLC, Fiat Chrysler Automobiles LLC US and Nissan North America Inc., in courts across the country arguing that the companies' in-vehicle cellular technology violated its wireless system patents.

Neo's patent suits against the carmakers were transferred to the Eastern District of Michigan in June 2022 after the U.S. Judicial Panel on Multidistrict Litigation determined centralization would streamline the related litigation and boost convenience.

Mercedes is the only other company that has come to an agreement with Neo and was dropped from the case in June.

Volkswagen is also a part of a handful of challenges to some of the patents in-suit at the PTAB.

The board is currently reviewing U.S. Patent Nos. 10,965,512, 10,075,941 B2 and 10,833,908 B2 at the request of Volkswagen and a handful of its co-defendants in the multidistrict litigation.

The first challenge the PTAB took up was over the '512 patent, which covers a new method of using "cell-specific and common pilot subcarriers in multi-carrier, multi-cell wireless communication networks." Volkswagen's cars are accused of infringing it in order to comply with a "3GPP LTE standard specification," according to the lawsuit.

The '914 and '908 patents are also currently under review at the PTAB and cover "methods for multicarrier communication systems with adaptive transmission and feedback" and a "channel probing signal for a broadband communications system," respectively.

Counsel for Neo did not immediately respond to a request for comment on Monday. Volkswagen's counsel declined to comment.

The patents in-suit are U.S. Patent Nos. 8,467,366, 10,833,908, 10,075,941, 10,447,450, 10,965,512 and 10,771,302.

Neo is represented by Jason D. Cassady, Christopher S. Stewart, Daniel R. Pearson and Bailey A. Blaies of Caldwell Cassady Curry PC and Jaye Quadrozzi of Young Garcia & Quadrozzi PC.

Volkswagen is represented by Susan M. McKeever and Justin B. Weiner of Bush Seyferth PLLC and Daniel E. Yonan, Deirdre M. Wells, Ryan C. Richardson, William H. Milliken and Anna G. Phillips of Sterne Kessler Goldstein & Fox PLLC.

The case is NEO Wireless LLC v. Volkswagen Group of America Inc., et al., case number 2:22-cv-11404, in the U.S. District Court for the Eastern District of Michigan, Southern Division.

The underlying multidistrict litigation is In re: NEO Wireless LLC, case number 2:22-md-03034, in the Eastern District of Michigan, Detroit.

— Additional reporting by Andrew Karpan and Ryan Lynch. Editing by Emily Kokoll.