

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**WIRTGEN AMERICA, INC.,**  
*Appellant*

v.

**CATERPILLAR INC.,**  
*Cross-Appellant*

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2024-1802, 2024-1865

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Appeals from the United States Patent and  
Trademark Office, Patent Trial and Appeal Board in  
No. IPR2022-01397.

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**C O R R E C T E D   O R D E R**

The parties having so agreed, it is ordered that:

- (1) The proceedings are DISMISSED under Fed. R.  
App. P. 42 (b).

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WIRTGEN AMERICA, INC. v. CATERPILLAR INC.

(2) Each side shall bear their own costs.

FOR THE COURT

October 22, 2024  
Date

  
Jarrett B. Perlow  
Clerk of Court

**ISSUED AS A MANDATE:** October 22, 2024