

NOTE: This order is nonprecedential.

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

---

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

v.

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

---

2024-1679, 2024-1680, 2024-1681

---

Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2022-  
01278, IPR2022-01310.

---

**ORDER**

The parties having so agreed, it is ordered that:

- (1) The proceeding is DISMISSED under Fed. R. App. P. 42 (b).

2

WIRTGEN AMERICA, INC. V. CATERPILLAR INC.

(2) Each side shall bear their own costs.

FOR THE COURT

October 29, 2024  
Date



Jarrett B. Perlow  
Clerk of Court

**ISSUED AS A MANDATE:** October 29, 2024