

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC. and LINKEDIN CORP.,
Petitioner,

v.

PRICEPLAY.COM, INC.,
Patent Owner.

Case CBM2015-00025
Patent 8,050,982 B2

Before JAMES P. CALVE, THOMAS L. GIANNETTI, and
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

JUDGMENT AND FINAL WRITTEN DECISION
35 U.S.C. § 328(a) and 37 C.F.R. § 42.73(b)

BACKGROUND

The petition seeks a covered business method patent review of claims 1–12 of U.S. Patent 8,050,982 B2. Paper 4. Patent Owner filed a preliminary response. Paper 7. We granted the petition and instituted a covered business method patent review of claims 1–12. Paper 8. Now Patent Owner abandons the contest under 37 C.F.R. § 42.73(b)(4). Paper 15. No opposition has been filed by Petitioner.

DISCUSSION

A party may request entry of adverse judgment against itself at any time during a proceeding. 37 C.F.R. § 42.73(b). Patent Owner's abandonment of the contest is construed as a request for adverse judgment. *Id.* § 42.73(b)(4). Here, Patent Owner has abandoned the contest as to all claims subject to trial in this proceeding. Paper 15. Under these circumstances, entry of judgment adverse to the Patent Owner and cancellation of claims 1–12 is appropriate.

CONCLUSION AND ORDER

Patent Owner's request for entry of adverse judgment is *granted*.

It is, therefore,

ORDERED that adverse judgment against the Patent Owner is entered under 37 C.F.R. § 42.73(b);

FURTHER ORDERED that this constitutes a final written decision under 35 U.S.C. § 328(a); and

FURTHER ORDERED that claims 1–12 of U.S. Patent 8,050,982 B2 be CANCELLED.

CBM2015-00025
Patent 8,050,982 B2

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