

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MAXMIND, INC.,
Petitioner,

v.

FRAUD CONTROL SYSTEMS.COM CORPORATION,
Patent Owner.

Case CBM2015-00094
Patent 8,630,942 B2

Before JAMES P. CALVE, RAMA G. ELLURU, and JAMES A. WORTH,
Administrative Patent Judges.

WORTH, *Administrative Patent Judge.*

JUDGMENT AND FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73(b)

BACKGROUND

Petitioner requested post-grant review of claims 1–30 of U.S. Patent No. 8,630,942 B2 (Ex. 1001, “the ’942 patent”) under the transitional program for review of covered business method patents. Paper 1. The Board granted the Petition and instituted covered business method review of all challenged claims. Paper 7. On December 9, 2015, Patent Owner filed a Request for Adverse Judgment under 37 C.F.R. § 42.73 (Paper 13, “Request”), with authorization from the Board. In the Request, Patent Owner requests cancellation of claims 1–30 of the ’942 patent and entry of adverse judgment in this proceeding pursuant to 37 C.F.R. § 42.73(b)(2). On December 15, 2015, Petitioner filed a response in which it states that it does not oppose cancellation of claims 1–30 of the ’942 patent. Paper 14.

DISCUSSION

A party may request entry of adverse judgment against itself at any time during a proceeding. 37 C.F.R. § 42.73(b). Here, Patent Owner requests adverse judgment with cancellation of claims 1–30 of the ’942 patent. Under these circumstances, entry of judgment adverse to the Patent Owner and cancellation of claims 1–30 of the ’942 patent are appropriate.

CONCLUSION AND ORDER

Patent Owner’s Request to Abandon Contest 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. § 318(a); and

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FURTHER ORDERED that claims 1–30 of U.S. Patent No. 8,630,942
B2 be CANCELLED.

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