

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FIDELITY INFORMATION SERVICES, LLC,
Petitioner,

v.

LIGHTHOUSE CONSULTING GROUP LLC,
Patent Owner.

CBM2020-00010
Patent 8,590,940 B2

Before KEVIN F. TURNER, MEREDITH C. PETRAVICK, and
JENNIFER S. BISK, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

TERMINATION

Dismissal After Institution of Trial

37 C.F.R. § 42.72

Authorizing Motion to Expunge Confidential Information

37 C.F.R. § 42.56

Termination of Trial

“The Board may terminate a trial without rendering a final written decision, where appropriate.” 37 C.F.R. § 42.72. We terminate this covered business method patent review trial because the Petition is moot due to the

entry of adverse judgment in a related *inter partes* review. The Petition challenges the patentability of claims 1–10¹ of U.S. Patent No. 8,590,940. Claims 1–10 of U.S. Patent No. 8,590,940 were also challenged in *inter partes* review, *Unified Patent Inc. v. Lighthouse Consulting Grp., LLC*, IPR2020-00194. On September 2, 2020, in IPR2020-00194, we entered adverse judgment, under 37 C.F.R. § 42.73(b)(4), against Patent Owner. Claims 1–10 of U.S. Patent No. 8,590,940 B2, thus, have been determined to be unpatentable and will be cancelled.

On September 2, 2020, we entered an Order authorizing Petitioner to file a paper explaining why trial should not be terminated. Paper 17. In response, Petitioner stated that it did not oppose termination and asked that we hold termination of this covered business method patent review in abeyance until the period for Patent Owner to appeal in IPR2020-00194 has expired. Paper 18, 1–2. Patent Owner’s period for appeal expired on November 4, 2020, without Patent Owner filing a notice of appeal. *See* 37 C.F.R. § 90.3(a)(1) (providing 63 days for filing a notice of appeal after the date of a final Board decision).

We terminate this covered business method patent review trial.

Authorization to File a Motion to Expunge

Concurrently with the Petition, Petitioner filed a confidential version of the Petition (Paper 2), confidential Exhibits 1022–1028, and a Motion to Seal (Paper 4). By instituting trial (Paper 14), we granted the Motion to Seal. *See* 37 C.F.R. § 42.55 (“The institution of the requested trial will constitute a grant of the motion to seal unless otherwise ordered by the

¹ Claims 1–10 are all of the claims of U.S. Patent No. 8,590,940 B2.

Board.”). Our Rules allow for a party to file a motion to expunge confidential information from the record after the denial of a petition. 37 C.F.R. § 42.56. Petitioner is authorized to file a motion to expunge confidential information from the record pursuant to 37 C.F.R. § 42.56, no more than seven pages, and no later than 14 business days from the date of this order.

It is:

ORDERED that this covered business method patent review trial is terminated; and

FURTHER ORDERED that Petitioner is authorized to file a motion to expunge confidential information from the record pursuant to 37 C.F.R. § 42.56, no more than seven pages, and no later than 14 business days from the date of this order.

PETITIONER:

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