

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMNEAL PHARMACEUTICALS, LLC

Petitioner,

v.

ENDO PHARMACEUTICALS, INC.

Patent Owner.

Case IPR2014-00160

Patent 7,851,482 B2

Before KEN B. BARRETT, GRACE KARAFFA OBERMANN, and
ZHENYU YANG, *Administrative Patent Judges*.

BARRETT, *Administrative Patent Judge*.

JUDGMENT

Request for Adverse Judgment

37 C.F.R. § 42.73(b)

Patent Owner Endo Pharmaceuticals Inc., on December 19, 2014, filed a Request for Adverse Judgment.¹ Paper 23. Petitioner has not indicated to the Board that Petitioner opposes the grant of the request.

A party may request judgment against itself at any time during a proceeding. 37 C.F.R. § 42.73(b). Implicit in Patent Owner's request for adverse judgment is a request that the relief sought by Petitioner, as limited by the Board's institution decision, be granted. In its Petition, Petitioner sought cancelation of claims 1–4 of U.S. Patent No. 7,851,482. Paper 1, 4. As noted in our institution decision, claims 1–3 of U.S. Patent No. 7,851,482 were canceled in Interference No. 105,893 (Paper 293, entered Dec. 19, 2013) and, of the challenged claims, only claim 4 remains for our review. Paper 7, 2. We authorized an *inter partes* review to be instituted as to claim 4. *Id.* at 9.

Accordingly, it is

ORDERED that Patent Owner's request for adverse judgment is GRANTED;

FURTHER ORDERED that judgment is entered against Patent Owner under 37 C.F.R. § 42.73(b) with respect to claim 4 of U.S. Patent No. 7,851,482 B2; and

FURTHER ORDERED that claim 4 of U.S. Patent No. 7,851,482 B2 is CANCELLED.

¹ Patent Owner filed on December 18, 2014, a paper of the same title. Paper 22. Both papers bear a signature date and service date of December 18, 2014, and there is no immediately discernable, substantive difference between the two papers.

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