

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner,

v.

VANTAGE POINT TECHNOLOGY, INC.,
Patent Owner.

Case IPR2015-00732
Patent 6,615,233 B1

Before JAMES P. CALVE, BRYAN F. MOORE, and
DAVID C. McKONE, *Administrative Patent Judges*.

McKONE, *Administrative Patent Judge*.

JUDGMENT
Request for Adverse Judgment
37 C.F.R. § 42.73(b)

On July 17, 2015, we instituted an inter partes review of claims 1–3, 6–13, 15–17, 27, 31, 49, and 59 of US Patent No. 6,615,233 B1 (“the ’233 patent”). Paper 8. On July 21, 2015, Patent Owner moved to abandon the contest and requested adverse judgment as to all these claims. Paper 10. Petitioner filed a response stating that it does not oppose Patent Owner’s request. Paper 11.

Under 37 C.F.R. § 42.73(b), a party may request judgment against itself at any time during a proceeding. Furthermore, under Rule 42.73(b)(4), actions construed as a request for entry of adverse judgment include abandonment of the contest.

Patent Owner has not only abandoned the contest, but also expressly requested entry of adverse judgment. Patent Owner’s request for adverse judgment as to claims 1–3, 6–13, 15–17, 27, 31, 49, and 59 of the ’233 patent is granted.

Accordingly, it is

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

FURTHER ORDERED that this constitutes a Final Written Decision under 35 U.S.C. § 318(a);

FURTHER ORDERED that claims 1–3, 6–13, 15–17, 27, 31, 49, and 59 of the ’233 patent are held unpatentable;

FURTHER ORDERED that *inter partes* review captioned IPR2015-00732 be terminated.

IPR2015-00732
Patent 6,615,233 B1

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