

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

10X GENOMICS, INC.,
Petitioner,

v.

THE UNIVERSITY OF CHICAGO,
Patent Owner.

Case IPR2015-01162
Patent 8,273,573 B2

Before DONNA M. PRAISS, CHRISTOPHER L. CRUMBLEY, and
TINA E. HULSE, *Administrative Patent Judges*.

PRAISS, *Administrative Patent Judge*.

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

BACKGROUND

On November 16, 2015, we instituted an *inter partes* review of claims 1–13 of U.S. Patent 8,273,573 B2. Paper 14, 23. Now Patent Owner seeks adverse judgment under 37 C.F.R. § 42.73(b). Paper 20. Patent Owner requests cancellation of all claims involved in this proceeding “[i]n the interest of streamlining the proceedings [between the parties] and focusing its resources.” *Id.* at 1. No opposition has been filed by Petitioner.

DISCUSSION

Under 37 C.F.R. § 42.73(b), a party may request judgment against itself at any time during a proceeding. Here, Patent Owner requests cancellation of all claims and entry of adverse judgment. Paper 20, 1. Under these circumstances, entry of judgment adverse to the Patent Owner and cancellation of claims 1–13 is appropriate.

CONCLUSION AND ORDER

Patent Owner’s request for judgment against itself under 37 C.F.R. § 42.73(b) is *granted*.

It is therefore,

ORDERED that adverse 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); and

FURTHER ORDERED that claims 1–13 of U.S. Patent No. 8,273,573 be CANCELLED.

IPR2015-01162
Patent 8,273,573 B2

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