

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE CORPORATION, ZTE (USA) INC.,
and T-MOBILE USA INC.,
Petitioner,

v.

ADAPTIX, INC.,
Patent Owner.

Case IPR2015-01185
Patent 6,947,748 B2

Before HOWARD B. BLANKENSHIP, TREVOR M. JEFFERSON, and
JUSTIN BUSCH, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

I. INTRODUCTION

ZTE Corporation, ZTE (USA) Inc., and T-Mobile USA Inc.
(collectively, “Petitioner”) filed a petition requesting *inter partes* review of

claims 6, 8, 9, and 19–22 of U.S. Patent No. 6,947,748 B2 (“the ’748 patent”) (Ex. 1001) under 35 U.S.C. §§ 311–319. Paper 2 (“Petition”). With the Petition, Petitioner filed a motion for joinder (Paper 3), seeking to join with *Sony Mobile Communications (USA) Inc. v. Adaptix, Inc.*, Case IPR2014-01524 (“IPR ’1524”). Patent Owner Adaptix, Inc. now requests adverse judgment as to the claims challenged in this proceeding. Paper 10 (“Request for Adverse Judgment”).

We have considered the Request for Adverse Judgment, and hereby grant Patent Owner’s request for adverse judgment.

II. RELEVANT RULES

A party may request judgment against itself at any time during a proceeding. 37 C.F.R. § 42.73(b).

III. ANALYSIS

On July 22, 2015, the Board granted Patent Owner’s request for adverse judgment in IPR ’1524 and entered judgment, terminating the proceeding and ordering that claims 6, 8, 9, and 19–22 of the ’748 patent be canceled. IPR ’1524, Paper 30. Patent Owner’s Request for Adverse Judgment references the adverse judgment in IPR ’1524 and the cancellation of claims 6, 8, 9, and 19–22 of the ’748 patent. Paper 10, 2.

No persuasive reason exists on this record to deny the request for adverse judgment in this proceeding.

IV. CONCLUSION

Accordingly, the Request for Adverse Judgment is granted.

V. ORDER

For the reasons given, it is

ORDERED that Patent Owner's request for adverse judgment under 37 C.F.R. § 42.73(b) with respect to claims 6, 8, 9, and 19–22 of U.S. Patent No. 6,947,748 B2 is GRANTED; and

FURTHER ORDERED that, at the request of Patent Owner, judgment is entered herein against Patent Owner with respect to claims 6, 8, 9, and 19–22 of U.S. Patent No. 6,947,748 B2.

IPR2015-01185
Patent 6,947,748 B2

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