

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

McAFEE, INC.,
Petitioner,

v.

CAP CO. LTD.,
Patent Owner.

Case IPR2016-00220
Patent RE42,196 E

Before DONNA M. PRAISS, PATRICK M. BOUCHER, and J. JOHN LEE,
Administrative Patent Judges.

BOUCHER, *Administrative Patent Judge.*

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

On May 18, 2016, the Board instituted *inter partes* review of claims 16–19 and 23–28 of U.S. Patent No. RE42,196 E in this proceeding. Paper 8. On August 8, 2016, Patent Owner filed a request for adverse judgment, choosing “not to contest the instituted claims,” and moving for cancellation of claims 16–19 and 23–28. Paper 16; *see* 37 C.F.R. § 42.73(b).

Petitioner has not filed an opposition, and we see no compelling reason not to grant the request.

It is

ORDERED that Patent Owner's request for adverse judgment under 37 C.F.R. § 42.73(b) with respect to claims 16–19 and 23–28 of U.S. Patent No. RE42,196 E is *granted*; and

ORDERED that, at the request of the Patent Owner, judgment is entered herein against Patent Owner with respect to claims 16–19 and 23–28 of U.S. Patent No. RE42,196 E. Claims 6–19 and 23–28 of U.S. Patent No. RE42,196 E are not patentable and a certificate canceling them shall issue in due course.

IPR2016-00220
Patent RE42,196 E

PETITIONER

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