

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

T-MOBILE US, INC. and T-MOBILE USA, INC. and
CELLCO PARTNERSHIP d/b/a/ Verizon Wireless,
Petitioner,

v.

ADVANCED MEDIA NETWORKS, LLC,
Patent Owner.

Case IPR2016-00347 (Patent 5,960,074)
Case IPR2016-00349 (Patent 5,960,074)

Before TRENTON A. WARD, LYNNE E. PETTIGREW, and
CHRISTA P. ZADO, *Administrative Patent Judges*.

ZADO, *Administrative Patent Judge*.

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

IPR2016-00347 (Patent 5,960,074)

IPR2016-00349 (Patent 5,960,074)

In IPR2016-00347, T-Mobile US, Inc., T-Mobile USA, Inc., and Cellco Partnership d/b/a Verizon Wireless (collectively, “Petitioner”) filed a Petition requesting *inter partes* review of claims 1–6, 8–17, 19–33, 35–58, 60–73, 75–85, 87–103, 105–115, 117, 119–132, 134–155, and 157–171 of U.S. Patent No. 5,960,074 (“the ’074 patent”). Paper 8.¹ Advanced Media Networks, LLC (“Patent Owner”) filed a Preliminary Response. Paper 13. On June 20, 2016, we instituted *inter partes* review of claims 28–33, 35, 37–40, 93, 105, 110, 119, 126, 127, 148–152, 154, 159, and 170. Paper 18, 36. On October 12, 2016, Patent Owner filed a Response requesting that we cancel claims 28–33, 35, 37–40, 93, 105, 110, 119, 126, 127, 148–152, 154, 159, and 170 of the ’074 patent, all claims at issue in IPR2016-00347, and enter adverse judgment as to those claims pursuant to 37 C.F.R. § 42.73(b). Paper 25.

In IPR2016-00349, Petitioner filed a Petition requesting *inter partes* review of claims 1–58, 60–73, 75–85, 87–103, 105–115, 117, 119–155, and 157–171 of the ’074 patent. Paper 8.² Patent Owner filed a Preliminary Response. Paper 13. On June 20, 2016, we instituted *inter partes* review of claims 28–34, 37–40, 102, 105, 115, 119, 126, 127, 148–151, 154, 159, and 170. Paper 18, 38. On October 12, 2016, Patent Owner filed a Response requesting that we cancel claims 28–34, 37–40, 102, 105, 115, 119, 126, 127, 148–151, 154, 159, and 170 of the ’074 patent, all claims at issue in IPR2016-00349, and enter adverse judgment as to those claims pursuant to 37 C.F.R. § 42.73(b). Paper 26.

¹ Herein, we cite to the Corrected Petition.

² Herein, we cite to the Corrected Petition.

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A party may request adverse judgment against itself at any time. 37 C.F.R. § 42.73(b). In IPR2016-00347 and IPR2016-00349, Patent Owner requests cancelation of all claims upon which we instituted *inter partes* review, after which no claims would remain at issue in either proceeding. IPR2016-00347 Paper 25; IPR2016-00349 Paper 26. Under the circumstances presented here, we determine that it is appropriate to grant Patent Owner's requests to cancel the challenged claims and enter adverse judgment. 37 C.F.R. § 42.73(b).

ORDER

Accordingly, it is:

ORDERED that claims 28–35, 37–40, 93, 102, 105, 110, 115, 119, 126, 127, 148–152, 154, 159, and 170 of the '074 patent are canceled;

FURTHER ORDERED that Patent Owner's request for adverse judgment in IPR2016-00347 is *granted*, and adverse judgment is entered against Patent Owner in this proceeding pursuant to 37 C.F.R. § 42.73(b);

FURTHER ORDERED that Patent Owner's request for adverse judgment in IPR2016-00349 is *granted*, and adverse judgment is entered against Patent Owner in this proceeding pursuant to 37 C.F.R. § 42.73(b); and

FURTHER ORDERED that a copy of this Judgment is to be entered into record of IPR2016-00347 and IPR2016-00349.

IPR2016-00347 (Patent 5,960,074)

IPR2016-00349 (Patent 5,960,074)

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