

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GRACO CHILDREN'S PRODUCTS INC.,  
Petitioner,

v.

KOLCRAFT ENTERPRISES, INC.,  
Patent Owner.

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Case IPR2016-00911  
Patent 7,458,114 B2

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Before KEN B. BARRETT, JOSIAH C. COCKS, and JENNIFER S. BISK,  
*Administrative Patent Judges.*

COCKS, *Administrative Patent Judge.*

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

We instituted trial in this proceeding based on a proposed ground of unpatentability applied to claims 46–50 of U.S. Patent No. 7,458,114 B2 (“the ’114 patent”). Paper 8, 18. Patent Owner, Kolcraft Enterprises, Inc. (“Kolcraft”), now requests judgment against itself pursuant to 37 C.F.R. § 42.73(b).<sup>1</sup> Paper 13. As a part of that request, Kolcraft also seeks cancellation of claims 46–50 of the ’114 patent. *Id.*

Kolcraft’s request for adverse judgment against it is *granted*. In so granting that request, and as sought by Kolcraft, no claims of the ’114 patent remain in this proceeding.

It is

ORDERED that Kolcraft’s request for adverse judgment pursuant to 37 C.F.R. § 42.73(b) is *granted*;

FURTHER ORDERED that claims 46–50 of the ’114 patent will be cancelled;

FURTHER ORDERED that this is a Final Written Decision pursuant to 35 U.S.C. § 318(a); and

FURTHER ORDERED that, because this is a Final Written Decision, the parties to the proceeding seeking judicial review of this Decision must comply with the notice and service requirements of 37 C.F.R. § 90.2.

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<sup>1</sup> 37 C.F.R. § 42.73(b) reads in-part: “*Request for adverse judgment*. A party may request judgment against itself at any time during a proceeding.”

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Patent 7,458,114 B2

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