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Paper 10
Entered: January 24, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,
Petitioner,

v.

SOCKEYE LICENSING TX, LLC,
Patent Owner.

Case IPR2016-00985
Patent 8,879,987 B1

Before BRYAN F. MOORE, ROBERT J. WEINSCHENK, and JOHN A. HUDALLA, *Administrative Patent Judges*.

WEINSCHENK, *Administrative Patent Judge*.

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

I. INTRODUCTION

On November 2, 2016, we instituted an *inter partes* review of claims 20–29, 31–37, 39–45, and 47 of U.S. Patent No. 8,879,987 B1 ("the '987 patent"). Paper 6, 14. On January 20, 2017, Patent Owner, Sockeye Licensing TX, LLC ("Sockeye"), filed a Request for Adverse Judgment pursuant to 37 C.F.R. § 42.73(b)(2). Paper 9. In the Request, Sockeye asks us to cancel claims 20–29, 31–37, 39–45, and 47 of the '987 patent and to enter an adverse judgment against Sockeye. Paper 9, 2.

II. ANALYSIS

A party may request entry of adverse judgment against itself at any time during a proceeding. 37 C.F.R. § 42.73(b). Actions construed to be a request for adverse judgment include cancellation of patent claims such that a party has no remaining claim in the trial. 37 C.F.R. § 42.73(b)(2). Sockeye's request to cancel claims 20–29, 31–37, 39–45, and 47 of the '987 patent leaves no claim remaining for trial. Accordingly, entry of adverse judgment against Sockeye pursuant to 37 C.F.R. § 42.73(b) is appropriate.

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Sockeye's Request for Adverse Judgment pursuant to 37 C.F.R. § 42.73(b)(2) is *granted*;

FURTHER ORDERED that claims 20–29, 31–37, 39–45, and 47 of U.S. Patent No. 8,879,987 B1 are canceled; and

FURTHER ORDERED that adverse judgment is entered against Sockeye with respect to claims 20–29, 31–37, 39–45, and 47 of U.S. Patent No. 8,879,987 B1.

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