

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION,
Petitioner,

v.

SOCKEYE LICENSING TX, LLC,
Patent Owner.

Case IPR2016-01052
Patent 8,135,342 B1

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

HUDALLA, *Administrative Patent Judge*.

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

On November 17, 2016, we instituted an *inter partes* review of claims 11, 14–19, 58, 59, 62–68, and 71–76 of U.S. Patent No. 8,135,342 B1 (“the ’342 patent”). Paper 6. 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 10. In the Request, Sockeye asks

us to cancel claims 11, 14–19, 58, 59, 62–68, and 71–76 and to enter an adverse judgment against Sockeye. Paper 10, 2.

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 11, 14–19, 58, 59, 62–68, and 71–76 of the '342 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.

Accordingly, it is

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

FURTHER ORDERED that claims 11, 14–19, 58, 59, 62–68, and 71–76 of U.S. Patent No. 8,135,342 B1 are canceled; and

FURTHER ORDERED that adverse judgment is entered against Sockeye with respect to claims 11, 14–19, 58, 59, 62–68, and 71–76 of U.S. Patent No. 8,135,342 B1.

IPR2016-01052
Patent 8,135,342 B1

PETITIONER:

Andrew M. Mason
John D. Vandenberg
Jeffrey S. Love
KLARQUIST SPARKMAN, LLP
andrew.mason@klarquist.com
john.vandenberg@klarquist.com
jeffrey.love@klarquist.com

PATENT OWNER:

Gregory S. Donahue
Jeffrey W. Salmon
DINOVO, PRICE, ELLWANGER & HARDY, LLP
gdonahue@dpelaw.com
docketing@dpelaw.com
jeff@jeffreysalmonlawllc.com