

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPPORATION,
Petitioner,

v.

COREL SOFTWARE, LLC,
Patent Owner.

Case IPR2016-01086
Patent 8,700,996 B2

Before RAMA G. ELLURU, JAMES A. TARTAL, and
DANIEL N. FISHMAN, *Administrative Patent Judges*.

FISHMAN, *Administrative Patent Judge*.

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

Microsoft Corporation (“Petitioner”) filed a Petition (Paper 2) requesting an *inter partes* review of claims 1, 3, 6, 8, 13, 14, 20, 22, 24, and 28 of U.S. Patent No. 8,700,996 B2 (Ex. 1001, “the ’996 patent”). Corel Software, LLC (“Patent Owner”) filed a preliminary response. Paper 8. The Board granted Petitioner’s request to institute *inter partes* review of claims 1, 3, 6, 8, 13, 14, 20, 22, 24, and 28 of the ’996 patent, and trial was instituted on December 1, 2016. Paper 14.

On February 27, 2017, Patent Owner filed a Patent Owner’s Request for Adverse Judgment with respect to claims 1, 3, 6, 8, 13, 14, 20, 22, 24, and 28. Paper 27 (“Req. for Adverse Judgment”). Under 37 C.F.R. § 42.73(b), a party may request judgment against itself at any time during a proceeding. Actions construed to be a request for adverse judgment include “[c]ancellation or disclaimer of a claim such that the party has no remaining claim in the trial.” 37 C.F.R. § 42.73(b)(2). Patent Owner asserts that on February 27, 2017, a statutory disclaimer was filed under 37 C.F.R. § 1.321(a) disclaiming all claims at issue here (claims 1, 3, 6, 8, 13, 14, 20, 22, 24, and 28). Req. for Adverse Judgment 1. A copy of that statutory disclaimer was filed in this matter as Exhibit 2033.

Accordingly, it is hereby

ORDERED that Patent Owner’s Request for Adverse Judgment under 37 C.F.R. § 42.73(b)(2) with respect to claims 1, 3, 6, 8, 13, 14, 20, 22, 24, and 28 of U.S. Patent No. 8,700,996 B2 patent is *GRANTED*; and,

ORDERED that judgment is entered herein against Patent Owner with respect to claims 1, 3, 6, 8, 13, 14, 20, 22, 24, and 28 of U.S. Patent No. 8,700,996 B2.

IPR2016-01086
Patent 8,700,996 B2

PETITIONER:

Michael Hawkins
IPR42342-0001IP4@fr.com

Patrick Bisenius
ptabinbound@fr.com

Stuart Nelson
ptabinbound@fr.com

Jonathan Lamberson
ptabinbound@fr.com

PATENT OWNER:

Cyrus Morton
cmorton@robinskaplan.com

Shui Li
sli@robinskaplan.com