

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORP.,
Petitioner,

v.

IMPROVED SEARCH LLC,
Patent Owner.

Case IPR2017-01613
Patent 7,516,154 B2

Before KARL D. EASTHOM, MIRIAM L. QUINN, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

EASTHOM, *Administrative Patent Judge*.

DECISION

Granting Patent Owner's Motion for Adverse Judgment
37 C.F.R. § 42.73(b)(2)

I. INTRODUCTION

Petitioner, Microsoft Corp., filed a Petition requesting an *inter partes* review of claims 1–12 of U.S. Patent No. 7,516,154 B1 (Ex. 1002, “the ’154 patent”). Paper 1. Patent Owner, Improved Search LLC, filed a Preliminary Response. Paper 7.

We instituted review of claims 1–6 and denied institution of claims 7– 12. Paper 8, 22–23 (filed December 26, 2017). Subsequent to institution, Patent Owner filed a Request for Adverse Judgment Under 37 C.F.R. § 42.73(b)(2). Paper 11 (filed March 6, 2018) (“Request”). In its Request, Patent Owner “respectfully asks that the Board cancel claims 1–6 and enter adverse judgment against it.” Request 1.

II. DISCUSSION

“A party may request entry of adverse judgment against itself at any time during a proceeding.” 37 C.F.R. § 42.73(b). As the Request notes, after cancelling claims 1–6 as requested by Patent Owner, no claims will remain in the trial. *See* Request 1. Patent Owner has not filed a Patent Owner Response. *See* Paper 8, 7 (Due Date 1 set as March 12, 2018). Under these circumstances, we grant the Request as appropriate.

III. ORDER

It is ORDERED that claims 1–6 of the ’154 patent are *CANCELLED* and *ADVERSE JUDGMENT* is entered against Patent Owner.

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