

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS, LLC,
Petitioner,

v.

LIGHTHOUSE CONSULTING GROUP LLC,
Patent Owner.

IPR2020-00194
Patent 8,590,940 B2

Before KEVIN F. TURNER, MEREDITH C. PETRAVICK, and
JENNIFER S. BISK, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

JUDGMENT

Granting Request for Adverse Judgment After Institution of Trial
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: . . . (4) Abandonment of the contest.” 37 C.F.R. § 42.73(b)(4).

A conference call was held on August 31, 2020, between counsel for the parties and Judges Turner, Petravick, and Bisk. During the call, Patent Owner stated that it was intentionally not filing a Patent Owner’s response, it was abandoning the contest in this proceeding, and it was aware that abandonment of the contest would result in adverse judgment. *See* Ex. 3001 (Patent Owner’s email seeking a conference call because “it elects not to file a response”). Patent Owner did not file a Patent Owner’s response or a motion to amend in this *inter partes* review by the September 1, 2020 deadline, set in the Scheduling Order (Paper 17).

Patent Owner has abandoned this contest. Abandonment of the contest is construed as a request for adverse judgment. Pursuant to 37 C.F.R. § 42.73(b)(4), this proceeding is terminated and adverse judgment is entered against the Patent Owner.

Accordingly, it is:

ORDERED that adverse judgment is entered, under 37 C.F.R. § 42.73(b)(4), against Patent Owner and in favor of Petitioner;

FURTHER ORDERED that claims 1–10 of U.S. Patent No. 8,590,940 B2 be cancelled; and

FURTHER ORDERED that this *inter partes* review is terminated.

In summary:

Claims	Reference(s)/Basis	Claims Shown Unpatentable	Claims Not shown Unpatentable
1–10	abandonment of contest	1–10	
Overall Outcome		1–10	

For PETITIONER:

Raghav Bajaj
David M. O'Dell
Jonathan R. Bowser
Angela Oliver
HAYNES AND BOONE, LLP
Raghav.bajaj.ipr@haynesboone.com
David.odell.ipr@haynesboone.com
Jon.bowser.ipr@haynesboone.com
Angela.oliver@haynesboone.com

Alyssa J. Holtslander
Roshan Mansinghani
Ashraf Fawzy
UNIFIED PATENTS INC.
alyssa@unifiedpatents.com
roshan@unifiedpatents.com
afawzy@unifiedpatents.com

For PATENT OWNER:

Hao Ni
Neal Massand
Timothy Wang
NI, WANG & MASSAND, PLLC
hni@nilawfirm.com
nmassand@nilawfirm.com
twang@nilawfirm.com