

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHARKNINJA OPERATING LLC,
SHARKNINJA MANAGEMENT LLC, AND
SHARKNINJA SALES COMPANY,
Petitioner,

v.

IROBOT CORPORATION,
Patent Owner.

IPR2020-01640
Patent 7,389,156 B2

Before BARRY L. GROSSMAN, TERRENCE W. MCMILLIN, and
JASON W. MELVIN, *Administrative Patent Judges*.

MELVIN, *Administrative Patent Judge*.

JUDGMENT

Granting Request for Adverse Judgment After Institution of Trial
27 C.F.R. § 42.73(b)

SharkNinja Operating LLC, SharkNinja Management LLC, and SharkNinja Sales Company (“Petitioner”) filed a Petition (Paper 1) requesting inter partes review of claims 1–3, 20, and 35–41 of U.S. Patent No. 7,389,156 B2 (Ex. 1001, “the ’156 patent”). iRobot Corporation (“Patent Owner”) filed a Preliminary Response. Paper 6. Patent Owner disclaimed claims 1, 20, and 35–41 prior to filing the Preliminary Response. Ex. 2001; Prelim. Resp. 1. Thus, claims 2 and 3 are the challenged claims.¹ We instituted review. Paper 7.

Patent Owner filed a Response. Paper 9. In the Response, Patent Owner indicates that it disclaimed all interest in the challenged claims. Response 1 (citing Ex. 2002 (Disclaimer under 37 C.F.R. § 1.321(a) of claims 2 and 3)). Patent Owner requests adverse judgment. *Id.*; *see* 37 C.F.R. § 42.73(b). Because Patent Owner satisfies the regulatory standard, we grant Patent Owner’s request.

Accordingly, it is

ORDERED that, pursuant to 37 C.F.R. § 42.73(b), *inter partes* review of claims 2 and 3 of the ’156 patent is terminated.²

¹ 37 C.F.R. § 42.107(e) (“No inter partes review will be instituted based on disclaimed claims.”).

² Patent Owner is reminded of the applicable estoppel provisions in 37 C.F.R. § 42.73(d)(3).

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