

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SPLUNK INC.,
Petitioner,

v.

SABLE NETWORKS, INC.,
Patent Owner.

IPR2021-01469
Patent 8,817,790 B2

Before GARTH D. BAER, SCOTT B. HOWARD, and
JULIET MITCHELL DIRBA, *Administrative Patent Judges*.

BAER, *Administrative Patent Judge*.

JUDGMENT
Granting Request for Adverse Judgment
37 C.F.R. § 42.73(b)

Petitioner, Splunk Inc. filed a Petition for *inter partes* review of claims 1–5, 8–10, 13, 15, 16, 19–21, 26, and 27 of U.S. Patent No. 8,817,790 B2 (“the ’790 patent”). Paper 2, 1. After Patent Owner Sable Networks, Inc. (“Patent Owner”) disclaimed claims 1–5, 8, 13, 15, 16, 20, 21, and 27, we instituted *inter partes* review on remaining claims 9, 10, 19, and 26. Paper 11, 2–3. Patent Owner then filed an Unopposed Motion for Adverse Judgment. Paper 16.

Rule 42.73(b) permits a party to “request judgment against itself at any time during a proceeding.” 37 C.F.R. § 42.73(b). Under these circumstances, we grant Patent Owner’s Unopposed Motion for Adverse Judgment.

ORDER

It is: ORDERED that Patent Owner’s Motion for adverse judgment (Paper 16) is GRANTED, and

FURTHER ORDERED that judgment is entered against Patent Owner with respect to claims 9, 10, 19, and 26 of the ’790 patent.

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