

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DJI EUROPE B.V.,
Petitioner,

v.

TEXTRON INNOVATIONS INC.,
Patent Owner.

IPR2022-00163
Patent 10,243,647 B2

Before SCOTT A. DANIELS, MICHAEL R. ZECHER, and
FREDERICK C. LANEY, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

JUDGMENT
Adverse Judgment After
Institution of Trial
37 C.F.R. § 42.73(b)

I. INTRODUCTION

By email on November 16, 2022, Patent Owner requested authorization to file a Request for Adverse Judgment (“Request”) under 37 C.F.R. § 42.73(b)(2) in light of Patent Owner having filed a statutory disclaimer in U.S. Patent No. 10,243,647 B2 (Ex. 1001, “the ’647 patent”) disclaiming all challenged claims in this proceeding—namely claims 1–8, 10–13, and 15–25. Ex. 2020.

On December 7, 2022, by email, we authorized Patent Owner to file their Request under 37 C.F.R. § 42.73(b)(2). Ex. 3001.

Patent Owner subsequently filed their Request on December 14, 2022 indicating that all challenged claims had been disclaimed, requesting adverse judgment under 37 C.F.R. § 42.73(b)(2), and entering the respective Disclaimer, dated November 16, 2022, into the record of this proceeding as Exhibit 2020. Paper 18. Patent Owner’s disclaimer of claims 1–8, 10–13, and 15–25 means that Patent Owner has no claims remaining in the present proceeding and adverse judgement is therefore appropriate.

II. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that adverse judgment is entered under 37 C.F.R. § 42.73(b) against Patent Owner with respect to claims 1–8, 10–13, and 15–25 of the ’647 patent; and

FURTHER ORDERED that this proceeding is terminated.

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Patent 10,243,647 B2

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