

IPR2024-00234
U.S. Patent No. 9,298,905 B1
Request for Adverse Judgment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

Petitioner,

v.

PROXENSE, LLC,

Patent Owner

IPR2024-00234

U.S. Patent No. 9,298,905 B1

REQUEST FOR ADVERSE JUDMENT UNDER 37 C.F.R. § 42.73(B)

EXHIBIT LIST

No.	Exhibit Description
2001	Claim Construction Order in <i>Proxense v. Samsung Electronics, Co., Ltd. et al.</i> , No. 6.21-CV-00210-ADA
2002	Memorandum In Support of Claim Construction Order in <i>Proxense v. Samsung Electronics, Co., Ltd. et al.</i>
2003	<i>Intentionally Left Blank.</i>
2004	Claim Construction Order in <i>Proxense v., Google LLC</i> , No. 6:23-cv-00320-ADA
2005	Opening Claim Construction Brief in <i>Proxense v. Microsoft Corporation</i> , No. 6:23-cv-00319-ADA
2006	Responsive Claim Construction Brief in <i>Proxense v. Microsoft Corporation</i>
2007	Reply Claim Construction Brief in <i>Proxense v. Microsoft Corporation</i>
2008	Sur-reply Claim Construction Brief in <i>Proxense v. Microsoft Corporation</i>
2009	Case Schedule in <i>Proxense v., Google LLC</i>
2010	Order Denying Motion to Transfer in <i>Proxense v., Google LLC</i>
2011	Order from the Federal Circuit Regarding Mandamus Petition
2012	Order Denying Motion to Transfer in <i>Proxense v. Microsoft Corporation</i>
2013	Google's Invalidity Contentions Cover Pleading
2014	Email from William Atnipp, dated May 3, 2024
2015	Microsoft's Amended Preliminary Invalidity Contentions
2016	Interview Summary filed October 10, 2024, in the Ex Parte Reexamination of U.S. Patent No. 9,298,905

Pursuant to C.F.R. § 42.73(b), the Patent Owner, Proxense LLC (“Proxense”), requests adverse judgement in IPR2024-00234 on the basis of a Statutory Disclaimer under 35 U.S.C. § 253(a) and 37 C.F.R. § 1.321(a), filed on October 10, 2024, disclaiming the entire term of U.S. Patent No. 9,298,905, thereby rendering the proceedings moot. Patent Owner’s reasoning for filing the Statutory Disclaimer is stated in the Interview Summary filed October 10, 2024, in the *Ex Parte* Reexamination of U.S. Patent No. 9,298,905, Control No. 90/015,053, a copy of which is attached hereto as Exhibit 2016.

Dated: October 15, 2024

Respectfully submitted,

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Counsel for Patent Owner

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that the foregoing document was served on October 15, 2024 by e-mailing copies to the e-mail addresses as provided in Petitioner's Petition.

Dated: October 15, 2024

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CERTIFICATE OF WORD COUNT

The undersigned hereby certifies that the page count for the foregoing document (excluding the table of contents, certificate of service, word count, or exhibit list) totals 93 words.

Dated: October 15, 2024

Respectfully submitted,

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