

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JUNIPER NETWORKS, INC.,
Petitioner,

v.

MONARCH NETWORKING SOLUTIONS LLC,
Patent Owner.

IPR2024-00565
Patent 8,451,845 B2

Before THU A. DANG, BRIAN J. McNAMARA, and
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

JUDGMENT

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

BACKGROUND

An *inter partes* review of claims 1 and 5–8 (“the challenged claims”) was instituted on August 26, 2024. Paper 14. On December 20, 2024, Patent Owner filed an unopposed Motion for Adverse Judgment under 37 C.F.R. § 42.73(b). Paper 15 (“Motion”). Patent Owner’s Motion states that all the challenged claims have been cancelled in *Ex Parte* Reexamination No. 90/019,246. Motion 1; *see* Ex. 2016. Patent Owner’s Motion is unopposed and there are no remaining issues before us.

When all claims at issue in an IPR are cancelled in a concurrent reexamination, the Board “construe[s] [the] cancellation of all claims . . . as a request for adverse judgment.” *Mercedes-Benz USA, LLC v. Signal IP, Inc.*, IPR2015-00941, Paper 21 at 2-3 (PTAB Apr. 14, 2016).

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner’s Motion for Adverse Judgment is GRANTED;

FURTHER ORDERED that Adverse Judgment is entered; and

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

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