

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,

Petitioner,

v.

PROXENSE, LLC,

Patent Owner

IPR2024-00776

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

REQUEST FOR ADVERSE JUDGMENT UNDER 37 C.F.R. § 42.73(b)

Pursuant to C.F.R. § 42.73(b), the Patent Owner, Proxense LLC (“Proxense”), requests adverse judgement in IPR2024-00776 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. The Statutory Disclaimer is attached hereto as Exhibit 2009. 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 2010.

Additionally, Patent Owner notes adverse judgement was entered in IPR2024-00234 on the basis that “no claims remain in the trial after Patent Owner’s disclaimer of all the claims at issue in [the] proceedings.” *Google LLC and Apple Inc. v. Proxense LLC*, IPR2024-00234, Paper 16 at 2 (PTAB November 1, 2024).

Dated: November 6, 2024

Respectfully submitted by,

/s/ David L. Hecht
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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6(e)

Pursuant to 37 C.F.R. § 42.6(e), the undersigned hereby certifies that the Request for Adverse Judgment was served on November 6, 2024, by e-mailing copies to the following e-mail addresses provided by Petitioner in the Petition:

IPR42342-01348IP1@fr.com

PTABInbound@fr.com.

Dated: November 6, 2024

Respectfully submitted by,

/s/ David L. Hecht

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