

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LTD.,
Petitioner,

v.

MARLIN SEMICONDUCTOR LIMITED,
Patent Owner.

IPR2025-01082
Patent 6,888,181 B1

Before DAVID C. McKONE, GEORGE R. HOSKINS,
and GARTH D. BAER, *Administrative Patent Judges*.

McKONE, Administrative Patent Judge.

JUDGMENT

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

In this proceeding, Petitioner petitioned for *inter partes* review of claims 1–10 of U.S. Patent No. 6,888,181 B1 (Ex. 1001, “the ’181 patent”), which are all of the claims in the ’181 patent. *See* Paper 1 (Petition), 1, 9; Ex. 1001, 4:20–62.

On February 3, 2026, the USPTO Director instituted the petitioned *inter partes* review. *See* Paper 10 (Notice of Decisions on Institution), 2.

On April 28, 2026, Patent Owner filed a Request for Adverse Judgment against itself (“the Request”), “on the grounds that [Patent Owner] has disclaimed all claims at issue.” Paper 13, 1; *see also* 37 C.F.R. § 42.73(b) (“***Request for adverse judgment.*** A party may request judgment against itself at any time during a proceeding.”). In support, Patent Owner submitted Exhibit 2001, which Patent Owner characterizes as “[a] copy of the recorded statutory disclaimer” filed with the USPTO on April 15, 2026. Paper 13, 1.

On May 1, 2026, we inquired of Petitioner’s counsel whether Petitioner opposes the Request. *See* Ex. 3001. Petitioner’s counsel confirmed that Petitioner does not oppose the Request. *See id.*

Upon consideration of the record presented, we note that Exhibit 2001 consists solely of a 2-page statutory disclaimer form signed by Paul Ahern on behalf of the patentee on April 14, 2026. *See* Ex. 2001. The Exhibit does not include a filing receipt demonstrating that the form was filed with the USPTO. *See id.* However, we have reviewed the USPTO’s prosecution history records for the ’181 patent, which confirm that Exhibit 2001 was filed on April 15, 2026. Accordingly, we conclude Patent Owner disclaimed the entire term of the ’181 patent on April 15, 2026. *See* Ex. 2001; Paper 13;

35 U.S.C. § 253(a) (listing the requirements for a disclaimer to be “recorded” in the Office).

A party may request entry of adverse judgment against itself at any time during an *inter partes* review proceeding. *See* 37 C.F.R. § 42.73(b). In addition, “[a]ctions construed to be a request for adverse judgment include: (1) Disclaimer of the involved application or patent; [and] (2) Cancellation or disclaimer of a claim such that the party has no remaining claim in the trial.” *Id.* Because Patent Owner has explicitly requested adverse judgment against itself pursuant to Rule 42.73(b), and has disclaimed the entire term of the ’181 patent, Patent Owner’s request for adverse judgment is granted.

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner’s Request for Adverse Judgment is *granted*; and

FURTHER ORDERED that adverse judgment is entered against Patent Owner with respect to claims 1–10 of the ’181 patent.

IPR2025-01082
Patent 6,888,181 B1

FOR PETITIONER:

Nicholas Lagerwall
Pavan Agarwal
Michael Houston
FOLEY & LARDNER LLP
nlagerwall@foley.com
pagarwal@foley.com
mhouston@foley.com

FOR PATENT OWNER:

William Meunier
Adam Rizk
Michael Renaud
Michael Dokhanchy
Tawfik Goma
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C
wameunier@mintz.com
arizk@mintz.com
mtrenaud@mintz.com
rdokhanchy@mintz.com
tagoma@mintz.com