

IPR2025-01512
U.S. Patent No. 11,971,612

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LUXOTTICA OF AMERICA INC.,

Petitioner

v.

E-VISION SMART OPTICS, INC.,

Patent Owner.

IPR2025-01512
U.S. Patent No. 11,971,612

PATENT OWNER'S REQUEST FOR ADVERSE JUDGMENT

Patent Owner e-Vision Smart Optics, Inc. (“Patent Owner”) requests judgment against itself under 37 C.F.R. § 42.73(b), with respect to claims 1-27 of U.S. Patent No. 11,971,612 (“’612 Patent”).

Counsel for Petitioner has indicated that Petitioner does not oppose the present request. Per e-mail dated June 15, 2026, the Board authorized the filing of the present request.

A party before the Board “may request judgment against itself at any time during a proceeding.” 37 C.F.R. § 42.73(b). Pursuant to the Board’s rules, “[a]ctions construed to be a request for adverse judgment include . . . [a]bandonment of the contest.” 37 C.F.R. § 42.73(b)(4). Patent Owner did not file a Patent Owner Response in this trial. Patent Owner abandons the contest. *See, e.g., Gene Company Pty LTD v. Trustees of Columbia University in the City of New York*, IPR2024-00312, Paper 16 (PTAB Jan. 28, 2025). Patent Owner therefore requests adverse judgment as to claims 1-27 of the ’612 patent and consequent termination of this proceeding under 37 C.F.R. § 42.73(b).

Date: June 17, 2026

/Matthew A. Smith/ R.N. 49,003

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Request for Adverse Judgment and accompanying exhibit was served by electronic mail addressed to the Patent Owner's counsel of record as follows:

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Date: June 17, 2026

Signed: /Matthew A. Smith/ R.N. 49,003