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Paper 23
Date: April 18, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

META PLATFORMS, INC.,
Petitioner,

v.

SITNET, LLC,
Patent Owner.

IPR2024-00528
Patent 8,249,932 B1

Before NEIL T. POWELL, KARA L. SZPONDOWSKI, and STEPHEN E. BELISLE, *Administrative Patent Judges*.

SZPONDOWSKI, *Administrative Patent Judge*.

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

Meta Platforms, Inc. ("Petitioner") filed a Petition (Paper 1) to institute an *inter partes* review of claims 1–11, 22, and 23 ("the challenged claims") of U.S. Patent No. 8,249,932 B1 (Ex. 1001, "the '932 patent"). SitNet, LLC ("Patent Owner") filed a Preliminary Response (Paper 7). With our authorization, Petitioner filed a Preliminary Reply (Paper 8) and Patent Owner filed a Preliminary Sur-reply (Paper 9). We instituted review of all challenged claims on September 11, 2024 (Paper 10). After institution, Patent Owner filed a Patent Owner Response (Paper 15) and a Motion to Amend (Paper 14). Petitioner filed a Reply to Patent Owner's Response (Paper 18) and an Opposition to the Motion to Amend (Paper 19). We issued Preliminary Guidance to Patent Owner's Motion to Amend on March 25, 2025 (Paper 21).

On April 9, 2025, Patent Owner filed a request for adverse judgment pursuant to 37 C.F.R. § 42.73(b). Paper 22. Patent Owner "requests that the Board cancel claims 1–11, 22, and 23." *Id.* at 2. Patent Owner also represents that Petitioner does not oppose the request. *Id.*

A patent owner may request judgment against itself "at any time during a proceeding." 37 C.F.R. §42.73(b). Actions construed to be a request for adverse judgment include cancellation of patent claims such that a party has no remaining claim in the trial. 37 C.F.R. § 42.73(b)(2). Patent Owner's request to cancel claims 1–11, 22, and 23 of the '932 patent leaves no claims remaining in the trial. Accordingly, entry of adverse judgment to Patent Owner pursuant to 37 C.F.R. § 42.73(b) is appropriate.

ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner's request for adverse judgment (Paper 22) is *granted*;

FURTHER ORDERED that claims 1–11, 22, and 23 of the '932 patent shall be *cancelled*;[1]

FURTHER ORDERED that adverse judgment is entered against Patent Owner with respect to claims 1–11, 22, and 23 of the '932 patent pursuant to 37 C.F.R. § 42.73(b)(2);

FURTHER ORDERED that IPR2024-00528 is *terminated*; and

FURTHER ORDERED that, pursuant to 37 C.F.R. § 42.73(d)(3), Patent Owner shall not take any action inconsistent with this final judgment and decision, including obtaining in any patent a claim that is not patentably distinct from the canceled claims in this proceeding;

FURTHER ORDERED that this constitutes a Final Written Decision under 35 U.S.C. § 318(a); and

FURTHER ORDERED that, that because this is a Final Written Decision, parties to this proceeding seeking judicial review of the decision must comply with the notice and service requirements of 37 C.F.R. § 90.2.

[1] *See* 37 C.F.R. § 42.80 (indicating that, after the Board issues a final written decision in an *inter partes* review proceeding, the Office will issue and publish a certificate canceling any claim of the patent finally determined to be unpatentable).

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