

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AXIS COMMUNICATIONS AB,
Petitioner,

v.

ARECONT VISION, LLC.,
Patent Owner.

Case PGR2017-00031
Patent No. 9,438,782 B2

Before BRYAN F. MOORE, RAMA G. ELLURU, and
DANIEL J. GALLIGAN, *Administrative Patent Judges*.

ELLURU, *Administrative Patent Judge*.

JUDGMENT
Request for Adverse Judgment
37 C.F.R. § 42.73(b)

On December 6, 2017, we instituted a post-grant review of claims 1–17 of U.S. Patent No. 9,438,782 (“the ’782 patent”), all of the claims of the ’782 patent. Paper 9, 18–19. On February 21, 2018, pursuant to 37 C.F.R. § 42.73(b), Patent Owner, Arecont Vision, LLC, filed a paper requesting “cancellation of all the claims of the ’782 Patent and an entry of an adverse judgment against Patent Owner in this proceeding.” Paper 12.

Patent Owner further states that Patent Owner’s request to cancel all the claims of the ’782 patent “leaves no remaining claim in the trial,” and thus, contends that “entry of judgment is warranted.” *Id.*

Under 37 C.F.R. § 42.73(b), a party may request judgment against itself at any time during a proceeding. Also, under 37 C.F.R. § 42.73(b)(2), actions construed as a request for entry of adverse judgment include cancellation of a claim such that the party has no remaining claim in the trial.

Patent Owner has requested adverse judgment and cancellation of all claims involved in this post-grant review, such that after the cancellation it will have no remaining claim in the trial.

We hereby grant Patent Owner’s request for adverse judgment.

Accordingly, it is:

ORDERED that Patent Owner’s request to cancel claims 1–17 of the ’782 patent and request for entry of adverse judgment are *granted*;

FURTHER ORDERED that judgment is herein entered against Patent Owner with respect to claims 1–17 of U.S. Patent No. 9,438,782; and

FURTHER ORDERED that claims 1–17 of U.S. Patent No. 9,438,782 shall be *canceled*.

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PETITIONER:

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