

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SPACE EXPLORATION TECHNOLOGIES CORP.,
Petitioner

v.

BLUE ORIGIN LLC,
Patent Owner

Case IPR2014-01376
Patent 8,678,321

**PATENT OWNER BLUE ORIGIN LLC'S REQUEST FOR ADVERSE
JUDGMENT UNDER 37 C.F.R. § 42.73(b)**

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

As authorized by the Board during the conference call held with counsel for Patent Owner Blue Origin LLC and Petitioner Space Exploration Technologies Corp. on June 30, 2015, Patent Owner Blue Origin LLC hereby requests that the Board enter an adverse judgment against Patent Owner in this proceeding pursuant to 37 C.F.R. § 42.73(b)(2).

The Board initiated trial in the above-captioned proceeding for claims 1-13. These claims are all of the claims for which the present *inter partes* review has been instituted. (IPR2014-01376, Paper 7, p. 2.)

The rules state “[a] party may request judgment against itself at any time during a proceeding. Actions construed to be a request for adverse judgment include...[c]ancellation ... of a claim such that the party has no remaining claim in the trial.” 37 C.F.R. § 42.73(b)(2). Accordingly, Patent Owner Blue Origin LLC respectfully asks that the Board cancel claims 1-13 of U.S. Patent No. 8,678,321 and enter an adverse judgment.

RELIEF REQUESTED

In view of the cancellation of all claims remaining in the trial, Blue Origin LLC respectfully requests the Board enter a final adverse judgment against Blue Origin LLC in this case pursuant to 37 C.F.R. § 42.73(b)(2).

Respectfully submitted,

Date: July 13, 2015

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing PATENT OWNER BLUE ORIGIN LLC'S REQUEST FOR ADVERSE JUDGMENT was served electronically on July 13, 2015, upon the following:

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