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Paper No. 12  
Entered: January 16, 2019

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RPX CORPORATION,  
Petitioner,

v.

DESHODAX LLP,  
Patent Owner.

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Case IPR2018-00280  
Patent 7,307,398 B2

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Before TREVOR M. JEFFERSON, JOHN A. EVANS, and  
ROBERT J. WEINSCHENK, *Administrative Patent Judges*.

EVANS, *Administrative Patent Judge*.

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

## I. INTRODUCTION

RPX Corporation (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–12 (all claims) of U.S. Patent No. 7,307,398 B2 (Ex. 1001, “the ’398 patent”). Paper 2 (“Pet.”). Deshodax LLC (“Patent Owner”) did not file a Preliminary Response. On June 13, 2018, we granted the Petition and instituted an *inter partes* review of all claims, i.e., claims 1–12 of the ’398 patent on all grounds set forth in the Petition. Paper 8. On October 4, 2018 Patent Owner filed a Motion and Request for Adverse Judgment requesting claims 1–12 be canceled so that no claims remain in the proceeding. Paper 11.

## II. ANALYSIS

A party may request judgment against itself at any time during a proceeding. 37 C.F.R. § 42.73(b). Patent Owner indicates that all the claims involved in this *inter partes* review are to be canceled, and Patent Owner expressly requests adverse judgment. Paper 11. Therefore, we determine that it is appropriate to grant Patent Owner’s request for adverse judgment.

## V. ORDER

In view of the foregoing, it is hereby:

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ORDERED that Patent Owner's request for adverse judgment under 37 C.F.R. § 42.73(b) is granted; and

FURTHER ORDERED that adverse judgment is entered against Patent Owner with respect to claims 1–12 of the '398 patent; and

FURTHER ORDERED that claims 1–12 of the '398 patent are hereby canceled.

PETITIONER

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