

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DONNELLY DISTRIBUTION LLC
and
RAIMONDI S.P.A.,
Petitioners,

v.

RUSSO TRADING CO., INC.,
Patent Owner.

Case No. IPR2019-00761
U.S. Patent No. 9,279,259

**PATENT OWNER'S REQUEST FOR ADVERSE JUDGMENT
UNDER 37 C.F.R. § 42.73(b)(2)**

The Board instituted review in the above-captioned proceeding for claims 6 and 7 of U.S. Patent No. 9,279,259 (“the ‘259 Patent”). (Paper No. 8.)

“A party may request judgment against itself at any time during a proceeding.” 37 C.F.R. § 42.73(b)(2). Accordingly, out of concern for business efficiency, Patent Owner Russo Trading Co., Inc. respectfully requests that the Board cancel the challenged claims 6 and 7. Patent Owner’s cancellation of the claims for which review was instituted is not an admission regarding the merits of Petitioner’s challenge or the Board’s decision to institute review in this proceeding.

No other claims remain for trial, so Patent Owner further requests that the Board terminate this proceeding.

Respectfully submitted,

Hansen Reynolds LLC

Dated: December 6, 2019

By: /s/ Thomas S. Reynolds II
Thomas S. Reynolds II
Registration No. 45,262

IPR2019-00761

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of **PATENT OWNER'S REQUEST FOR ADVERSE JUDGMENT** is being served on December 6, 2019 via e-mail on:

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