

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RPX CORPORATION
Petitioner

v.

MACROSOLVE, INC.
Patent Owner

Case IPR2014-00140
Patent 7,822,816

Before SALLY C. MEDLEY, TREVOR M. JEFFERSON, and
PETER P. CHEN, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

JUDGMENT
Termination of the Proceeding
37 C.F.R. § 42.73

On May 16, 2014, a trial was instituted involving claims 1-14 of the '816 patent. Paper 9. An *ex parte* reexamination certificate issued on June 10, 2014, in *Ex Parte* Reexamination No. 90/012,829, cancelling claims 1-

Case IPR2014-00140
Patent 7,822,816

14 of the '816 patent. Ex. 3001.¹ A conference call was held on June 19, 2014, involving counsel for the respective parties and Judges Medley, Jefferson, and Chen.

During the conference call, counsel for both parties represented that, based on the cancellation of all of the involved claims of the '816 patent, the *inter partes* review should be terminated.

The ultimate purpose of a trial is to determine if the challenged claims are unpatentable, and if the claims are determined to be unpatentable, to cancel the unpatentable claims. 35 U.S.C. § 318. The involved claims in this proceeding, however, have been cancelled through another proceeding. There is, therefore, no occasion to continue the trial. Based on the facts of this case, termination is appropriate.

Accordingly, it is

ORDERED that the proceeding is *terminated*.

¹ Exhibit 3001 is a copy of the reexamination certificate.

Case IPR2014-00140

Patent 7,822,816

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