

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARTSANA USA, INC.,
Petitioner

v.

KOLCRAFT ENTERPRISES, INC.,
Patent Owner

Case IPR2014-01053
Patent 8,388,501

**PATENT OWNER'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

ARGUMENT

The Board instituted review in the above-captioned proceeding for claims 1-5 and 8 of U.S. Patent No. 8,388,501, but denied review of all other claims in the patent, namely, claims 6, 7, and 9-20, under grounds 4-7. Institution Decision 14 at 32-33. The Petitioner requested a rehearing of the Board's decision. Rehearing Request 16. In the Board decision issued today, Order 22, the Board modified the wording of its decision, but "decline[d] to alter our decision not to institute on grounds 4-7. Order 22 at 7.

"A party may request judgment against itself at any time during a proceeding." 37 C.F.R. § 42.73(b)(2). Accordingly, Kolcraft respectfully requests judgment against itself, and asks that the Board cancel the only claims remaining in this proceeding (claims 1-5 and 8) and enter adverse judgment against it.

RELIEF REQUESTED

In view of the cancellation of all claims remaining in the trial, Kolcraft respectfully requests the Board enter a final adverse judgment against Kolcraft on the claims remaining in this case (claims 1-5 and 8) pursuant to 37 C.F.R. § 42.73(b)(2).

Dated: March 6, 2015

Respectfully submitted,

/ Anthony E. Dowell/

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Certificate of Service in Compliance With 37 C.F.R. § 42.6(e)(4)

The undersigned certifies that a complete copy of Patent Owner's Request for Adverse Judgment has been served electronically in its entirety to the attorneys of record for the Petitioner this March 6, 2015, via email:

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