

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MERCEDES-BENZ USA, LLC and MERCEDES-BENZ U.S.
INTERNATIONAL, INC.,
Petitioner,

v.

VELOCITY PATENT LLC,
Patent Owner.

IPR2014-01247
Patent 5,954,781

Before JAMESON LEE, GLENN J. PERRY,
and PETER P. CHEN, *Administrative Patent Judges*.

CHEN, *Administrative Patent Judge*.

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

IPR2014-01247
Patent 5,954,781

The Petition herein was filed on August 4, 2014 (Paper 1), challenging only claims 31 and 32 of U.S. Patent No. 5,954,781. Patent Owner's Preliminary Response was filed on November 4, 2014 (Paper 9), and we have not yet instituted an *inter partes* review of claims 31 and 32.

On December 29, 2014, Patent Owner filed a request for cancellation of claims 31 and 32 (Paper 19). Under 37 C.F.R. § 42.73(b), cancellation of all challenged claims leaving no remaining claims for trial is construed as a request for entry of adverse judgment.

ORDER

Accordingly, it is

ORDERED that Patent Owner's request to cancel claims 31 and 32 of U.S. Patent No. 5,954,781, is *granted*; and

FURTHER ORDERED that adverse judgment is entered herein against Patent Owner.

IPR2014-01247
Patent 5,954,781

PETITIONER:

Celine Jimenez Crowson
Celine.crowson@hoganlovells.com

Joseph Raffetto
Joseph.raffetto@hoganlovells.com

Raymond Kurz
Raymond.kurz@hoganlovells.com

PATENT OWNER:

Patrick Richards
Patrick@richardspatentlaw.com

Howard Levin
hlevin@mavllp.com