

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VOLKSWAGEN GROUP OF AMERICA, INC.  
Petitioner,

v.

WEST VIEW RESEARCH, LLC,  
Patent Owner.

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Case IPR2016-00156  
Patent 8,296,146

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

**Mail Stop Patent Board**

Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

## ARGUMENT

“A party may request judgment against itself at any time during a proceeding.” 37 C.F.R. §42.73(b)(2). Although West View Research, LLC respectfully disagrees with the assertions made and invalidity positions taken by Petitioner during this IPR proceeding, West View Research, LLC respectfully requests judgment against itself, and asks that the Board cancel the claims remaining in this proceeding (i.e., Claims 1, 10, 11, 17 – 19, 27, and 30) and enter adverse judgment against it. Patent Owner respectfully notes that Claims 2 – 9, 12 – 16, 20 – 26, 28, 29, and 31 – 34 are not subject to the present proceeding and hence, remain valid and enforceable.

**RELIEF REQUESTED**

In view of the cancellation of all claims remaining in this proceeding, West View Research, LLC respectfully requests the Board enter a final adverse judgment against West View Research, LLC on the claims remaining in this case (Claims 1, 10, 11, 17 – 19, 27, and 30) pursuant to 37 C.F.R. §42.73(b)(2).

Respectfully submitted,

GAZDZINSKI & ASSOCIATES, PC

Dated: February 9, 2017

By: /Peter J. Gutierrez, III/  
Peter J. Gutierrez, III  
Registration No. 56,732  
Back-Up Counsel for Patent Owner

**CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))**

The undersigned hereby certifies that the foregoing **PATENT OWNER'S REQUEST FOR ADVERSE JUDGMENT PURSUANT TO 37 C.F.R. § 42.73(b)** was served electronically via e-mail on February 9, 2017, in their entirety on the following counsel of record for Petitioners:

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