

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NHK SEATING OF AMERICA, INC.,
Petitioner,

v.

LEAR CORPORATION,
Patent Owner.

Case IPR2014-00957
Patent 7,455,357 B2

Before RICHARD E. RICE, MITCHELL G. WEATHERLY, and
CARL M. DEFRANCO, *Administrative Patent Judges*.

WEATHERLY, *Administrative Patent Judge*.

JUDGMENT AND FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73(a)

I. BACKGROUND

On December 18, 2014, we instituted an *inter partes* review of claim 20 of U.S. Patent No. 7,455,357 B2 (“the ’357 patent”). Paper 10. On March 13, 2015, Patent Owner, Lear Corporation (“Lear”), disclaimed claim 20 of the ’357 patent when it filed a Disclaimer in Patent Under 37 C.F.R. § 1.321(a). Ex. 2001. Accordingly, no claims remain in this *inter partes* review. On March 16, 2015, Lear filed Patent Owner’s Request for Adverse

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Judgment Under 37 C.F.R. § 42.73(b) in which Lear requests that we enter judgment against it with respect to claim 20 and terminate this proceeding. Paper 14.

II. DISCUSSION

“A party may request judgment against itself at any time during a proceeding.” 37 C.F.R. § 42.73(b). Actions construed as a request for adverse judgment include cancellation or disclaimer of patent claims such that the party has no remaining claim in the trial. 37 C.F.R. § 42.73(b)(2). Lear has filed a statutory disclaimer that leaves no patent claim remaining in this *inter partes* review, Exhibit 2001, and expressly requested that we enter judgment against it, Paper 14. Under these circumstances, entry of judgment adverse to Lear is appropriate.

III. CONCLUSION

Lear’s request for adverse judgment is *granted*.

IV. ORDER

Accordingly, it is:

ORDERED that judgment is entered against Lear with respect to claim 20 of U.S. Patent No. 7,455,357 B2 under 37 C.F.R. § 42.73(a); and

FURTHER ORDERED that this Order constitutes a final written decision under 35 U.S.C. § 318(a).

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