

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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RENESAS ELECTRONICS CORPORATION and  
RENESAS ELECTRONICS AMERICA, INC.,  
Petitioner,

v.

LONE STAR SILICON INNOVATIONS, LLC,  
Patent Owner.

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Case IPR2017-01868  
Patent 6,326,231 B1

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Before JENNIFER MEYER CHAGNON, JOHN F. HORVATH, and  
ELIZABETH M. ROESEL, *Administrative Patent Judges*.

ROESEL, *Administrative Patent Judge*.

DECISION  
Entering Adverse Judgment  
*37 C.F.R. § 42.73*

I. BACKGROUND

Renesas Electronics Corporation and Renesas Electronics America, Inc. (collectively, “Petitioner”) filed a Petition requesting *inter partes* review

of claims 1–5 and 7 of U.S. Patent No. 6,326,231 B1 (“the ’231 patent”). Thereafter, Lone Star Silicon Innovations, LLC (“Patent Owner”) disclaimed claims 1–3, 6–9, 13, 15, and 16 of the ’231 patent by filing a statutory disclaimer pursuant to 37 C.F.R. § 1.321(a). Ex. 3001. Patent Owner waived the right to file a Preliminary Response. Paper 5. Upon consideration of the Petition, we instituted *inter partes* review of claims 4 and 5 of the ’231 patent. Paper 6, 21.

In a related case,<sup>1</sup> Patent Owner filed a motion requesting adverse judgment and cancellation of claims 4, 5, and 17 of the ’231 patent. Case IPR2017-01565, Paper 13. We granted Patent Owner’s motion in Case IPR2017-01565, entered adverse judgment against Patent Owner, and ordered the cancellation of claims 4, 5, and 17 of the ’231 patent. *Id.*, Paper 15.

## II. DISCUSSION

“A party may request judgment against itself at any time during a proceeding.” 37 C.F.R. § 42.73(b). Under that rule, actions that are construed as a request for adverse judgment include “[c]ancellation or disclaimer of a claim such that the party has no remaining claim in the trial.” 37 C.F.R. § 42.73(b)(2). Here, trial was instituted with respect to claims 4 and 5 of the ’231 patent, claims 4 and 5 have been ordered to be cancelled pursuant to Patent Owner’s request in related Case IPR2017-01565, and no claim remains pending for trial. Accordingly, under these circumstances, adverse judgment against Patent Owner is appropriate. We, therefore, enter

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<sup>1</sup> *Micron Technology, Inc. v. Lone Star Silicon Innovations, LLC*, Case IPR2017-01565 (PTAB).

adverse judgment against Patent Owner and terminate the trial. *See* 37 C.F.R. §§ 42.72, 42.73(b)(2).

### III. ORDER

It is:

ORDERED that adverse judgment under 37 C.F.R. § 42.73(b)(2) is entered against Patent Owner with respect to claims 4 and 5 of the '231 patent; and

FURTHER ORDERED that this proceeding is *terminated*.

IPR2017-01868  
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