

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

VISA INC., VISA U.S.A. INC., APPLE INC.,
Appellants

v.

UNIVERSAL SECURE REGISTRY, LLC,
Appellee

2020-1662

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2018-
01350.

Decided: August 27, 2021

MATTHEW A. ARGENTI, Wilson, Sonsini, Goodrich &
Rosati, PC, Palo Alto, CA, argued for all appellants. Ap-
pellants Visa Inc., Visa U.S.A. Inc. also represented by
MICHAEL T. ROSATO, Seattle, WA.

MARK D. SELWYN, Wilmer Cutler Pickering Hale and
Dorr LLP, Palo Alto, CA, for appellant Apple Inc. Also rep-
resented by BRITTANY BLUEITT AMADI, Washington, DC;
MARK CHRISTOPHER FLEMING, MONICA GREWAL, Boston,
MA.

CHRISTOPHER MATHEWS, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA, argued for appellee. Also represented by TIGRAN GULEDJIAN.

Before NEWMAN, PROST*, and TARANTO, *Circuit Judges*.

PER CURIAM.

The patent at issue in this appeal is U.S. Patent No. 8,856,539, owned by Universal Secure Registry LLC (USR). Visa filed a petition for an inter partes review, challenging several claims of the '539 patent before the Patent Trial and Appeal Board, which instituted the requested review and eventually issued a final written decision that Visa had not shown the challenged claims to be unpatentable. In another case, we have affirmed a district court's judgment that all claims of the '539 patent are patent ineligible. *Universal Secure Registry LLC v. Apple Inc.*, No. 20-2044 (Fed. Cir. Aug. 26, 2021). Therefore, as the parties agreed at oral argument, this appeal involving the '539 patent is now moot. *Apple Inc. v. Voip-Pal.com, Inc.*, 976 F.3d 1316, 1321 (Fed. Cir. 2020); Oral Arg. at 12:10–12:50. We vacate the Board's final written decision and remand for the Board to dismiss Visa's petition. *See Apple*, 976 F.3d at 1321 (citing *United States v. Munsingwear, Inc.*, 340 U.S. 36, 39–41 (1950)).

No costs.

VACATED AND REMANDED

* Circuit Judge Sharon Prost vacated the position of Chief Judge on May 21, 2021.