

NOTE: This order is nonprecedential.

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

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**INTERNATIONAL BUSINESS MACHINES  
CORPORATION,**  
*Appellant*

v.

**ZILLOW GROUP, INC., ZILLOW, INC.,**  
*Cross-Appellants*

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2024-1170, 2024-1274

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Appeals from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in Nos. IPR2022-  
00646 and IPR2023-00259.

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**EBATES PERFORMANCE MARKETING, INC., dba  
Rakuten Rewards,**  
*Appellant*

v.

**INTERNATIONAL BUSINESS MACHINES  
CORPORATION,**  
*Appellee*

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2024-1238

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Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in No. IPR2022-00646.

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**ON MOTION**

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**O R D E R**

Ebates Performance Marketing, Inc., dba Rakuten Rewards, moves unopposed to withdraw as a party in Appeal No. 2024-1170, and Ebates and International Business Machines Corporation file a joint stipulation of voluntary dismissal pursuant to Federal Rule of Appellate Procedure 42(b) in Appeal No. 2024-1238 wherein they agree that each party shall bear its own costs. Zillow Group, Inc. and Zillow, Inc. (collectively, “Zillow”) move unopposed for a 29-day extension of time to file their principal and response brief.

The court notes that Zillow submitted a principal and response brief on June 20, 2024, docketed as ECF No. 45 in Appeal No. 2024-1170.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) Ebates’s motion to withdraw as a party in Appeal No. 2024-1170, ECF No. 43, is granted. The revised official and short captions are reflected in this order.
- (2) Zillow’s motion for an extension of time, ECF No. 42, is denied as moot.
- (3) Appeal No. 2024-1238 is dismissed. Each party shall bear its own costs regarding Appeal No. 2024-1238.

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(4) The Clerk of Court shall forward a copy of this order to the merits panel assigned to Appeal Nos. 2024-1170 and 2024-1274.

FOR THE COURT



June 25, 2024  
Date

Jarrett B. Perlow  
Clerk of Court

ISSUED AS A MANDATE (as to Appeal No. 2024-1238 only): June 25, 2024