

NOTE: This order is nonprecedential.

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

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

v.

**INTERNATIONAL BUSINESS MACHINES
CORPORATION,**
Appellee

2024-1459

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2022-
00890.

ON MOTION

O R D E R

Upon consideration of appellee's motion to withdraw
from the appeal and appellant's motion to voluntarily dis-
miss this appeal pursuant to Rule 42(b)(2) of the Federal
Rules of Appellate Procedure,

IT IS ORDERED THAT:

2

EBATES PERFORMANCE MARKETING, INC. v. IBM

(1) The motions are granted to the extent that the appeal is dismissed.

(2) Each side shall bear its own costs.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

July 11, 2024
Date

ISSUED AS A MANDATE: July 11, 2024