

NOTE: This order is nonprecedential.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

2024-1648

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2022-
01250.

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,

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EBATES PERFORMANCE MARKETING, INC. v. IBM

IT IS ORDERED THAT:

- (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