

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

KEYLESS LICENSING LLC,
Patent Owner.

IPR2025-00526 (Patent 9,304,602 B2)
IPR2025-00527 (Patent 10,976,922 B2)
IPR2025-00528 (Patent 11,503,144 B2)
IPR2025-00529 (Patent 11,503,144 B2)

Before KALYAN K. DESHPANDE,¹ *Acting Deputy Chief Administrative
Patent Judge.*

DECISION
Denying Institution of *Inter Partes* Review

¹ Coke Morgan Stewart, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office, is recused and took no part in this decision. The Acting Director has delegated her authority in a Notice of Delegation. *See* <https://www.uspto.gov/sites/default/files/documents/deshpande-delegation-letter.pdf>.

IPR2025-00526 (Patent 9,304,602 B2)
IPR2025-00527 (Patent 10,976,922 B2)
IPR2025-00528 (Patent 11,503,144 B2)
IPR2025-00529 (Patent 11,503,144 B2)

Keyless Licensing LLC (“Patent Owner”) filed a request for discretionary denial (Paper 8, “DD Req.”) in the above-captioned cases, and Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) filed an opposition (Paper 10, “DD Opp.”).²

After considering the parties’ arguments and the record, and in view of all relevant considerations, discretionary denial of institution is appropriate in these proceedings. This determination is based on the totality of the evidence and arguments the parties have presented.

In particular, the projected final written decision due date for each of these cases is October 9, 2026. DD Req. 6. The district court’s scheduled trial date is April 20, 2026, and the time-to-trial statistics suggest trial will begin in May 2026. DD Req. 3–4. As such, it is unlikely that a final written decision in these proceedings will issue before district court trial occurs. Additionally, there is insufficient evidence that the district court is likely to stay its proceeding even if the Board were to institute trial, and there has been meaningful investment in the parallel proceeding by the parties. *Id.* at 2–3, 5–6. For example, the parties are engaged in the *Markman* process and fact discovery is nearly closed. *Id.* at 5–6.

Although certain arguments are highlighted above, the determination to exercise discretion to deny institution is based on a holistic assessment of all of the evidence and arguments presented. Accordingly, the Petitions are denied under 35 U.S.C. § 314(a).

In consideration of the foregoing, it is:

² Citations are to papers in IPR2025-00526. The parties filed similar papers in IPR2025-00527, IPR2025-00528, and IPR2025-00529.

IPR2025-00526 (Patent 9,304,602 B2)
IPR2025-00527 (Patent 10,976,922 B2)
IPR2025-00528 (Patent 11,503,144 B2)
IPR2025-00529 (Patent 11,503,144 B2)

ORDERED that Patent Owner's request for discretionary denial is *granted*; and

FURTHER ORDERED that the Petitions are *denied*, and no trial is instituted.

IPR2025-00526 (Patent 9,304,602 B2)
IPR2025-00527 (Patent 10,976,922 B2)
IPR2025-00528 (Patent 11,503,144 B2)
IPR2025-00529 (Patent 11,503,144 B2)

FOR PETITIONER:

Joshua Goldberg
Kevin Rodkey
Tyler Akagi
Daniel Cooley
Chen Zang
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
joshua.goldberg@finnegan.com
kevin.rodkey@finnegan.com
tyler.akagi@finnegan.com
daniel.cooley@finnegan.com
chen.zang@finnegan.com

FOR PATENT OWNER:

David Alberti
Sal Lim
Jason Fitzsimmons
Richard Bemben
Michael Specht
Jennifer Chagnon
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
dalberti@krameralberti.com
slim@feinday.com
jfitzsimmons-ptab@sternekessler.com
rbemben-ptab@sternekessler.com
mspecht-ptab@sternekessler.com
jchagnon-ptab@sternekessler.com