

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

AMAZON.COM, INC.,
Petitioner,

v.

VIRTAMOVE, CORP.,
Patent Owner.

IPR2025-00561 (Patent 7,784,058 B2)

IPR2025-00563 (Patent 7,519,814 B2)

IPR2025-00566 (Patent 7,519,814 B2)

Before COKE MORGAN STEWART, *Acting Under Secretary of
Commerce for Intellectual Property and Acting Director of the United States
Patent and Trademark Office.*

DECISION
Denying Institution of *Inter Partes* Review

IPR2025-00561 (Patent 7,784,058 B2)
IPR2025-00563 (Patent 7,519,814 B2)
IPR2025-00566 (Patent 7,519,814 B2)

VirtaMove, Corp. (“Patent Owner”) filed a request for discretionary denial of institution (Paper 6, “DD Req.”) in the above-captioned cases, and Amazon.com, Inc. filed an opposition (Paper 7, “DD Opp.”).¹

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.

Some factors counsel against discretionary denial. For example, the district court proceeding involving Petitioner and the challenged patents has been stayed pending Patent Owner’s appeal of the court’s order to transfer the case to the Northern District of California. DD Opp. 4.

Other factors, however, weigh in favor of discretionary denial. In particular, the challenged patents have been in force for more than 14 years, creating strong settled expectations, and Petitioner does not provide any persuasive reasoning why an *inter partes* review is an appropriate use of Board resources. *Dabico Airport Sols. Inc. v. AXA Power ApS*, IPR2025-00408, Paper 21 at 2–3 (Director June 18, 2025). In the absence of any such information, the Office is disinclined to disturb the settled expectations of Patent Owner.

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).

¹ Citations are to papers in IPR2025-00561. The parties filed similar papers in IPR2025-00563 and IPR2025-00566.

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In consideration of the foregoing, it is:

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

FURTHER ORDERED that the Petitions are *denied*.

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