

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.

ICASHE, INC.,
Patent Owner.

IPR2025-00639 (Patent 9,122,965 B2)
IPR2025-00640 (Patent 9,483,722 B2)
IPR2025-00641 (Patent 11,694,053 B2)
IPR2025-00642 (Patent 8,403,219 B2)
IPR2025-00643 (Patent 9,202,156 B2)
IPR2025-00644 (Patent 9,208,423 B2)
IPR2025-00645 (Patent 11,270,174 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>.

IPR2025-00639 (Patent 9,122,965 B2)
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iCashe, Inc. (“Patent Owner”) filed a request for discretionary denial (Paper 7, “DD Req.”) in the above-captioned cases, and Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) filed an opposition (Paper 8, “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 in the Board proceedings is October 16, 2026. DD Req. 4–5. The district court’s scheduled trial date is April 6, 2026, and the time-to-trial statistics suggest trial will begin in May or June of 2026. *Id.* at 4; DD Opp. 8; Ex. 1050. As such, it is unlikely that a final written decision in these proceedings will issue before district court trial occurs, resulting in significant duplication of effort, additional expense for the parties, and a risk of inconsistent decisions. Additionally, the patents challenged in IPR2025-00639, IPR2025-00640, IPR2025-00642, IPR2025-00643, and IPR2025-00644 have been in force for over nine, eight, twelve, nine, and nine years, respectively, creating strong settled expectations for Patent Owner.

² Citations are to the papers in IPR2025-00639. The parties filed similar papers in IPR2025-00640, IPR2025-00641, IPR2025-00642, IPR2025-00643, IPR2025-00644, and IPR2025-00645.

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The patents challenged in IPR2025-00641 and IPR2025-00645 have not been in force as long as the other patents challenged. While ordinarily such circumstances might counsel against discretionary denial, the district court will be considering the validity of the patents challenged in IPR2025-00639, IPR2025-00640, IPR2025-00642, IPR2025-00643, and IPR2025-00644, along with the validity of the patents challenged in IPR2025-00641 and IPR2025-00645, and referring IPR2025-00641 and IPR2025-00645 to the Board would be an inefficient use of Board resources and tips the balance to discretionary denial as to those patent too.

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:

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

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

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