

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD.,  
Petitioner,

v.

PANTECH CORPORATION,  
Patent Owner.

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IPR2025-00720 (Patent 9,769,776 B2)  
IPR2025-00756 (Patent 10,764,803 B2)  
IPR2025-00887 (Patent 8,995,372 B2)  
IPR2025-00888 (Patent 9,369,251 B2)

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

DECISION

Denying Institution of *Inter Partes* Review in  
IPR2025-00720, IPR2025-00887, and IPR2025-00888 and  
Referring the Petition in IPR2025-00756 to the Board

IPR2025-00720 (Patent 9,769,776 B2)  
IPR2025-00756 (Patent 10,764,803 B2)  
IPR2025-00887 (Patent 8,995,372 B2)  
IPR2025-00888 (Patent 9,369,251 B2)

Pantech Corporation (“Patent Owner”) filed a request for discretionary denial (Paper 7, “DD Req.”) in the above-captioned cases, and OnePlus Technology (Shenzhen) Co., Ltd. (“Petitioner”) filed an opposition (Paper 8, “DD Opp.”).<sup>1</sup>

After considering the parties’ arguments and the record, and in view of all relevant considerations, discretionary denial of institution is appropriate in IPR2025-00720, IPR2025-00887, and IPR2025-00888, but is not appropriate in IPR2025-00756. 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 has stayed the parallel proceeding involving the parties and challenged patents. Ex. 3101; Ex. 1040. As such, a final written decision will issue before the district court trial occurs, reducing the concern of inconsistent outcomes or significant duplication of efforts resulting from two proceedings operating in parallel. Additionally, the patent challenged in IPR2025-00756 has not been in force for a significant period of time (issued in 2020). Early challenges favor robust, predictable patent rights and weigh against discretionary denial.

The patents challenged in IPR2025-00720, IPR2025-00887, and IPR2025-00888 present different circumstances and are unrelated to the patent challenged in IPR2025-00756. In particular, the challenged patents have been in force for eight, ten, and nine years, respectively, creating strong settled expectations for Patent Owner, and Petitioner does not provide

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<sup>1</sup> Citations are to papers in IPR2025-00720. The parties filed similar papers in IPR2025-00756, IPR2025-00887, and IPR2025-00888.

IPR2025-00720 (Patent 9,769,776 B2)  
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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 strong settled expectations of Patent Owner.

Although certain arguments are highlighted above, the determinations in this Decision are based on a holistic assessment of all of the evidence and arguments presented. Accordingly, the Petitions in IPR2025-00720, IPR2025-00887, and IPR2025-00888 are denied under 35 U.S.C. § 314(a), and the Petition in IPR2025-00756 is referred to the Board to handle the case in the normal course, including by issuing a decision on institution addressing the merits and other non-discretionary considerations, as appropriate.

In consideration of the foregoing, it is:

ORDERED that Patent Owner’s requests for discretionary denial in IPR2025-00720, IPR2025-00887, and IPR2025-00888 are *granted*;

FURTHER ORDERED that the Petitions in IPR2025-00720, IPR2025-00887, and IPR2025-00888 are *denied*, and no trial is instituted;

FURTHER ORDERED that Patent Owner’s request for discretionary denial in IPR2025-00756 is *denied*;

FURTHER ORDERED that the Petition in IPR2025-00756 is referred to the Board; and

FURTHER ORDERED that neither party shall file a request for rehearing or Director Review of the decision to deny Patent Owner’s request

IPR2025-00720 (Patent 9,769,776 B2)  
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for discretionary denial in IPR2025-00756 until the Board issues a decision on institution.

IPR2025-00720 (Patent 9,769,776 B2)  
IPR2025-00756 (Patent 10,764,803 B2)  
IPR2025-00887 (Patent 8,995,372 B2)  
IPR2025-00888 (Patent 9,369,251 B2)

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