

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

v.

VB ASSETS, LLC,  
Patent Owner.

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IPR2025-00870 (Patent 10,755,699 B2)  
IPR2025-00871 (Patent 10,510,341 B1)

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Before KALYAN K. DESHPANDE,<sup>1</sup> *Acting Chief Administrative  
Patent Judge.*

DECISION  
Denying Institution of *Inter Partes* Review

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<sup>1</sup> Coke Morgan Stewart, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office, is recused and took no part in this decision. *See* <https://www.uspto.gov/sites/default/files/documents/dsco-delegation.pdf>.

IPR2025-00870 (Patent 10,755,699 B2)

IPR2025-00871 (Patent 10,510,341 B1)

VB Assets, 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.”).<sup>2</sup>

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 proceeding is December 10, 2026. DD Req. 19. The district court’s scheduled trial date is July 6, 2026, and the parties offer different time-to-trial statistics that suggest trial will begin between June 2026 and December 2026. DD Req. 19–20; DD Opp. 20. As such, it is unlikely that a final written decision in this proceeding will issue before district court trial occurs, resulting in significant duplication of effort, additional expense for the parties, and a risk of inconsistent decisions. Although the time-to-trial statistics suggest that it is possible that a trial might occur before the projected final written decision due date, the difference in timing is not significant. Thus, even though a district court trial date that occurs after a projected final written decision date reduces the possibility of conflicting decisions, that benefit does not outweigh the efficiencies gained by avoiding parallel proceedings under these circumstances.

Additionally, there are six patents at issue in the parallel district court proceeding, the two patents challenged in these proceedings and four patents

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<sup>2</sup> Citations are to papers in IPR2025-00870. The parties filed similar papers in IPR2025-00871.

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IPR2025-00871 (Patent 10,510,341 B1)

challenged in other petitions filed by Petitioner, in which institution was denied. *See* IPR2025-00866, Paper 13; IPR2025-00867, Paper 13; IPR2025-00868, Paper 13; IPR2025-00869, Paper 13. In view of this, Patent Owner persuasively argues that addressing all of the challenged patents in the district court proceeding would be “the fastest and most efficient resolution of the Parties’ many disputes.” DD Req. 17.

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 requests for discretionary denial are *granted*;

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

IPR2025-00870 (Patent 10,755,699 B2)

IPR2025-00871 (Patent 10,510,341 B1)

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