

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

APPLE INC.,
Petitioner,

v.

APEX BEAM TECHNOLOGIES LLC,
Patent Owner.

IPR2025-00894 (Patent 10,462,767 B2)
IPR2025-00895 (Patent 10,568,113 B2)
IPR2025-00897 (Patent 10,944,527 B2)
IPR2025-00898 (Patent 10,951,271 B2)
IPR2025-00903 (Patent 11,546,110 B2)
IPR2025-00904 (Patent 11,626,904 B2)
IPR2025-00905 (Patent 11,917,581 B2)
IPR2025-00906 (Patent 10,965,434 B1)
IPR2025-00908 (Patent 11,108,639 B2)
IPR2025-00921 (Patent 10,568,113 B2)
IPR2025-00922 (Patent 10,951,271 B2)
IPR2025-00923 (Patent 11,626,904 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

Referring the Petitions in IPR2025-00894, IPR2025-00895,
IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904,
IPR2025-00905, IPR2025-00906 and IPR2025-00908 to the Board and
Denying Institution of Inter Partes Review in IPR2025-00921,
IPR2025-00922, and IPR2025-00923

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Apex Beam Technologies LLC (“Patent Owner”) filed a request for discretionary denial (Paper 9, “DD Req.”) in the above-captioned cases, and Apple Inc. (“Petitioner”) filed an opposition (Paper 10, “DD Opp.”).¹

After considering the parties’ arguments and the record, and in view of all relevant considerations, discretionary denial of institution is not appropriate in IPR2025-00894, IPR2025-00895, IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904, IPR2025-00905, IPR2025-00906 and IPR2025-00908 but is appropriate in IPR2025-00921, IPR2025-00922, and IPR2025-00923. This determination is based on the totality of the evidence and arguments the parties have presented.

For IPR2025-00894, IPR2025-00895, IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904, IPR2025-00905, IPR2025-00906 and IPR2025-00908, these cases present essentially the same discretionary considerations as those presented in IPR2025-00896, IPR2025-00900, IPR2025-00901, IPR2025-00907, IPR2025-00909, IPR2025-00910, and IPR2025-00911. *See, e.g., Apple Inc. v. Apex Beam*

¹ Citations are to papers in IPR2025-00894. The parties filed similar papers in IPR2025-00895, IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904, IPR2025-00905, IPR2025-00906, IPR2025-00908, IPR2025-00921, IPR2025-00922, and IPR2025-00923.

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Technologies, LLC, IPR2025-00896, Paper 10 (Director Sept. 3, 2025) (denying Patent Owner's request for discretionary denial). Accordingly, that analysis is incorporated here. *Id.* at 2–3.

IPR2025-00921, IPR2025-00922, and IPR2025-00923 present different circumstances. The Petitions in IPR2025-00921, IPR2025-00922, and IPR2025-00923 are the second petitions filed by Petitioner against the challenged patents. Repeat challenges weigh against institution. In addition, Petitioner ranks the Petitions in IPR2025-00895, IPR2025-00898, and IPR2025-00904 above the Petitions in IPR2025-00921, IPR2025-00922, and IPR2025-00923, respectively. These considerations favor discretionary denial.

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 IPR2025-00921, IPR2025-00922, and IPR2025-00923 are denied under 35 U.S.C. §314(a), and the Petitions in IPR2025-00894, IPR2025-00895, IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904, IPR2025-00905, IPR2025-00906 and IPR2025-00908 are referred to the Board to handle the cases in the normal course, including by issuing a decision on institution

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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 IPR2025-00921, IPR2025-00922, and IPR2025-00923 are *granted*;

FURTHER ORDERED that the Petitions in IPR2025-00921, IPR2025-00922, and IPR2025-00923 are *denied* and no trial is instituted;

FURTHER ORDERED that Patent Owner's requests for discretionary denial in IPR2025-00894, IPR 2025-00895, IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904, IPR2025-00905, IPR2025-00906 and IPR2025-00908 are *denied*;

FURTHER ORDERED that the Petitions in IPR2025-00894, IPR2025-00895, IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904, IPR2025-00905, IPR2025-00906 and IPR2025-00908 are 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 for discretionary denial in IPR2025-00894, IPR2025-00895, IPR2025-00897, IPR2025-00898, IPR2025-00903, IPR2025-00904,

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IPR2025-00905, IPR2025-00906 and IPR2025-00908 until the Board issues a decision on institution.

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