

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

TESLA, INC.,
Petitioner,

v.

GRANITE VEHICLE VENTURES LLC,
Patent Owner.

IPR2025-01034 (Patent 12,037,004 B2)
IPR2025-01035 (Patent 12,037,004 B2)

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

IPR2025-01034 (Patent 12,037,004 B2)

IPR2025-01035 (Patent 12,037,004 B2)

Granite Vehicle Ventures LLC (“Patent Owner”) filed a request for discretionary denial (Paper 8, “DD Req.”) in the above-captioned cases, and Tesla, Inc. (“Petitioner”) filed an opposition (Paper 9, “DD Opp.”).¹ With authorization, Patent Owner filed a Reply (Paper 11) and Petitioner filed a Sur-reply (Paper 12).

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.

These cases present essentially the same discretionary considerations as those presented in IPR2025-00943 and IPR2025-00944. *See, e.g., Tesla, Inc. v. Granite Vehicle Ventures LLC*, IPR2025-00943, Paper 17 (Director September 26, 2025) (granting Patent Owner’s request for discretionary denial). Accordingly, that analysis is incorporated here. *Id.* at 2–3.

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.

¹ Citations are to papers in IPR2025-01034. The parties filed similar papers in IPR2025-01035.

IPR2025-01034 (Patent 12,037,004 B2)

IPR2025-01035 (Patent 12,037,004 B2)

FOR PETITIONER:

Jennifer Bailey

Adam Sandwell

Kevin Rongish

Justin Grimes

ERISE IP, P.A.

jennifer.bailey@eriseip.com

adam.sandwell@eriseip.com

kevin.rongish@eriseip.com

justin.grimes@eriseip.com

Paul Margulies

TESLA, INC.

pmargulies@tesla.com

FOR PATENT OWNER:

Kyle Ruvolo

Lily Glick

HEIM PAYNE & CHORUSH, LLP

kruvolo@hpcllp.com

glick@hpcllp.com