

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.

XIFI NETWORKS R&D, INC.,
Patent Owner.

IPR2025-01203 (Patent 11,849,337 B1)
IPR2025-01204 (Patent 11,818,591 B2)
IPR2025-01205 (Patent 12,003,976 B1)
IPR2025-01206 (Patent 11,950,105 B1)
IPR2025-01207 (Patent 12,015,933 B1)
IPR2025-01208 (Patent 11,974,143 B2)
IPR2025-01209 (Patent 11,856,414 B1)
IPR2025-01270 (Patent 12,114,177 B2)
PGR2025-00067 (Patent 12,190,198 B1)
PGR2025-00068 (Patent 12,169,756 B2)
PGR2025-00069 (Patent 12,250,564 B2)¹

Before JOHN A. SQUIRES, *Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent and Trademark Office.*

ORDER

Denying Request for Director Review

¹ This order applies to each of the above-listed proceedings.

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On March 12, 2026, XiFi Networks R&D, Inc. (“Patent Owner”) filed a request for Director Review of the Notice granting institution (*see* Paper 12) in each of the *inter partes* reviews (“IPR”), seeking de-institution of the IPRs. Paper 16 (“Request”).² Patent Owner argues that institution should be reversed because Samsung Electronics Co, Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioners”) have advanced different claim constructions in the district court and in the Petition, but have failed to sufficiently explain why those different positions are warranted. *Id.* at 1 (citing *Revvo Techs., Inc. v. Cerebrum Sensor Techs, Inc.*, IPR2025-00632, Paper 20 (Director Nov. 3, 2025) (precedential) (“*Revvo*”). Patent Owner further argues that good cause exists for extending the deadline to request Director Review because “Patent Owner moved expeditiously to bring this request within approximately two weeks of the latest district court claim construction events.” *Id.* at 2–5.

Patent Owner has not shown good cause to extend its deadline to request Director Review, which expired on January 6, 2026. Although Patent Owner argues that “the law on the relevant issue was developing in the very weeks that the parties were taking district court positions,”

² Citations are to the record in IPR2025-01203. The parties filed similar papers in each of the above-captioned cases.

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Request 5, the decision in *Revvo* was designated precedential on November 3, 2025. *Revvo* explains that when a petitioner advances different positions before the Board and a district court, that petitioner is required to explain to the Board why those different positions are warranted. *See Revvo*, Paper 20 at 3–5. For a period of time following the decision, the Office provided liberal opportunities for parties to raise issues under *Revvo*, even where the issue was raised for the first time in a request for Director Review. *See, e.g., Infineon Techs. Am. Corp. v. MOSAID Techs., Inc.*, IPR2025-01171, Paper 27 at 4 n.2 (Director Feb. 19, 2026); *Carbyne, Inc. v. Tritech Software Sys.*, IPR2025-00959, Paper 20 at 4 n.2 (Director Feb. 19, 2026). *Revvo* has now been precedential for more than *four* months, and thus, Patent Owner’s argument that the law on this issue is still developing is not persuasive. Absent exceptional circumstances (e.g., a party’s taking allegedly different claim construction positions after the Director Review deadline has elapsed), the Office will not revisit on Director Review a decision on institution based on *Revvo* arguments.

Here, as Patent Owner acknowledges, the parties provided the district court with initial claim construction positions on January 14, 2026.

Request 3. Patent Owner, however, did not seek an extension of the Director Review deadline until March 10, 2026. Ex. 3101. Thus, Patent Owner’s

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assertion that it moved expeditiously to seek an extension to file a Director Review request is not persuasive.

For these reasons, an extension of the time period set forth in 37 C.F.R. § 42.71(d) is not appropriate and Patent Owner's request for Director Review is denied.

Accordingly, it is:

ORDERED that the request for Director Review (Paper 16) is denied.

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