

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

TOGAIL TECHNOLOGIES LTD.,
Patent Owner.

IPR2023-00720
Patent 10,791,502 B2

Before JAMESON LEE, GREGG I. ANDERSON, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

ANDERSON, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. §§ 42.5, 42.20

With the Board’s authorization, Apple Inc. (“Petitioner”) filed an Unopposed Motion to Withdraw Its Request for Rehearing of The Board’s Decision Denying *Inter Partes* Review. Paper 11 (“Mot.”). Petitioner indicates that it conferred with Togail Technologies Ltd. (“Patent Owner”), and “Patent Owner does not oppose this request.” Mot. 1. As discussed below, we grant Petitioner’s motion and allow the withdrawal of its Request for Rehearing (Paper 10).

On September 14, 2023, we issued a Decision Denying Institution of *Inter Partes* Review of U.S. Patent No. 10,791,502 B2 (“the ’502 patent”) because Petitioner had not shown a reasonable likelihood of prevailing on the merits. Paper 9. On October 16, 2023, Petitioner filed a Request for Rehearing pursuant to 37 C.F.R. § 42.71(d). Paper 10. In instant unopposed Motion, Petitioner requests withdrawal of its pending Request for Rehearing. Mot. 2. In the Motion, Petitioner states that “Petitioner no longer seeks institution of an *inter partes* review of the ’502 patent.” *Id.*

Because Petitioner no longer seeks to maintain its Request for Rehearing (Paper 10), and the Motion is unopposed, we grant Petitioner’s Motion to Withdraw and we will not issue any decision in response to the Request for Rehearing. Our Decision Denying Institution (Paper 9) remains in effect.

ORDER

It is

ORDERED that Petitioner’s Unopposed Motion to Withdraw Its Request for Rehearing is *granted* and Petitioner’s Request for Rehearing (Paper 10) is withdrawn; and

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FURTHER ORDERED that the Decision Denying Institution (Paper 9) remains in effect.

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