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Paper 73
Date: July 22, 2026

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

YEALINK (USA) NETWORK TECHNOLOGY CO., LTD., and
YEALINK NETWORK TECHNOLOGY CO., LTD.,
Petitioner,

v.

BARCO N.V.,
Patent Owner.

IPR2024-01436 (Patent 10,762,002 B2)
IPR2024-01437 (Patent 11,403,237 B2)
IPR2024-01438 (Patent 11,258,676 B2)
IPR2024-01439 (Patent 11,422,951 B2)[1]

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

ORDER

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

Barco N.V. ("Patent Owner") filed a request for Director Review of the Final Written Decision ("Decision," Paper 62)[2] in each of the above-captioned *inter partes* reviews ("IPRs"), and Yealink (USA) Network Technology Co., Ltd. and Yealink Network Technology Co., Ltd. (collectively, "Petitioner") filed an authorized response to each request. *See* Papers 65 ("Request"), 69.

Patent Owner argues that the Board erred in evaluating the objective indicia of nonobviousness because the Board improperly discounted evidence of competitor acquiescence and commercial success and misapplied *Ancora Techs., Inc. v. Roku, Inc.*, 140 F.4th 1351 (Fed. Cir. 2025). Request 1–2, 12–13. With respect to competitor acquiescence, Patent Owner contends that the patents challenged in these IPRs are the subject of a license agreement ("the Crestron License") and that "Petitioner sought a compulsory license to the challenged claims of the [challenged patents] after admitting it had infringed all asserted claims of the [challenged patents]." *Id.* at 1. Patent Owner argues that under *Ancora*, Patent Owner should have been entitled to a presumption of nexus with respect to the Crestron License, but the Board determined *Ancora* did not apply by incorrectly interpreting that decision. *Id.* at 7–8. Patent Owner further argues that the Board wrongly accorded the Crestron License little weight. *Id.* at 5–10. As for commercial success, Patent Owner argues the Decision fails to address evidence showing nexus between the commercial success of its ClickShare product and the challenged claims, including that

[2] All citations are to IPR2024-01436. The parties filed similar papers and exhibits in IPR2024-01437, IPR2024-01438, and IPR2024-01439.

"85% of Patent Owner customers use the ClickShare dongle practicing the claimed invention[s] rather than dongle-less implementations." *Id.* at 11–13 (emphasis omitted).

Petitioner responds that the Board properly and fully addressed Patent Owner's objective evidence of nonobviousness. Paper 69, 1–2, 4–10. Petitioner further contends the Board correctly distinguished the facts here from those in *Ancora*. *Id.* at 1–4.

Having considered each request and response, the Decisions warrant further review by a Delegated Rehearing Panel ("DRP"). Accordingly, Director Review is delegated to a DRP to review the Decisions and determine whether the Board misapprehended or overlooked any issues, including: (1) whether the Board correctly determined that the holding in *Ancora* does not apply to the Crestron License and adequately weighed the evidence regarding acquiescence in the industry; and (2) whether the Board properly considered the evidence regarding commercial success, including whether the Board evaluated Patent Owner's evidence that 85% of its customers use the ClickShare dongle.

Absent good cause, the DRP shall issue a decision within 60 days of this Order.

Accordingly, it is:

ORDERED that the request for Director Review is delegated to a DRP; and

FURTHER ORDERED that Patent Owner's motions to seal (IPR2024-01436, Paper 67; IPR2024-01437, Paper 60; IPR2024-01438, Paper 60; IPR2024-01439, Paper 65) are granted.

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