

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

ENTEGRIS, INC.,
Petitioner,

v.

INPRIA CORP.,
Patent Owner.

IPR2025-00267
Patent 11,673,903 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
Denying Institution of *Inter Partes* Review

Inpria Corp. (“Patent Owner”) filed a request for discretionary denial (Paper 7, “DD Req.”) in the above-captioned case, and Entegris, Inc. (“Petitioner”) filed an opposition (Paper 10, “DD Opp.”).

After considering the parties’ arguments and the record, and in view of all relevant considerations, discretionary denial of institution is appropriate in this proceeding. This determination is based on the totality of the evidence and arguments the parties have presented.

In particular, the challenged patent is the subject of litigation in a parallel proceeding in the District of Delaware. DD Req. 2. The projected final written decision due date in the Board proceeding is August 12, 2026. DD Req. 11. The district court’s scheduled trial date is April 20, 2026. *Id.* at 10; Ex. 2001, 62. As such, it is unlikely that a final written decision in this proceeding will issue before district court trial occurs.

Additionally, there is a business relationship between the defendant in the parallel district court proceeding and Petitioner here (manufacturer-supplier). DD Req. 18–19; DD Opp 3. And, the defendant in the parallel district court proceeding incorporated by reference “the arguments, evidence, and statements” set forth in this proceeding in its final invalidity contentions in district court. DD Req. 14 (quoting Ex. 2023–2037). As a result, even though Petitioner is not a named defendant in the parallel district court proceeding, the parties are related, the validity of the challenged patent is already being adjudicated in another forum that will issue an earlier decision, and the issues presented in the Petition are “the same as, or substantially similar to, those already or about to be litigated,” all of which favor discretionary denial. *See Apple Inc. v. Fintiv, Inc.*, IPR2020-00019, Paper 11 at 14 (PTAB Mar. 20, 2020) (precedential).

Although certain arguments are highlighted above, the determination to exercise discretion to deny institution is based on a holistic assessment of all of the evidence and arguments presented. Accordingly, the Petition is 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 Petition is *denied*, and no trial is instituted.

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