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Paper 9
Entered: April 11, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO (UNITED STATES) INC. and
MOTOROLA MOBILITY LLC,
Petitioner,

v.

COLLISION COMMUNICATIONS, INC.,
Patent Owner.

IPR2025-00285
Patent 6,947,505 B2

Before NEIL T. POWELL, CHARLES J. BOUDREAU, and KEVIN C. TROCK, Administrative Patent Judges.

BOUDREAU, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314
Denying Motion for Joinder
35 U.S.C. § 315

I. INTRODUCTION

Lenovo (United States) Inc. and Motorola Mobility LLC (collectively, "Petitioner") filed a Petition requesting *inter partes* review of claims 1, 3–5, and 7–9 of U.S. Patent No. 6,947,505 B2 (Ex. 1001, "the '505 patent"). Paper 3 ("Pet."). Collision Communications, Inc. ("Patent Owner") filed a Preliminary Response. Paper 8.

Concurrently with the Petition, Petitioner filed a Motion for Joinder, seeking to be joined as a party to *Samsung Electronics America, Inc. v. Collision Communications, Inc.*, IPR2024-01249 ("Samsung IPR"). Paper 2 ("Mot."). Patent Owner filed an Opposition to the Motion for Joinder. Paper 7.

For the reasons discussed below, we deny institution of *inter partes* review and Petitioner's Motion for Joinder.

II. ANALYSIS

A. Petition for Inter Partes *Review*

We have authority to determine whether to institute an *inter partes* review. *See* 35 U.S.C. § 314 (2018); 37 C.F.R. § 42.4(a) (2024). We may not institute an *inter partes* review "unless . . . there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." 35 U.S.C. § 314(a).

In the Petition, Petitioner indicates that, in the Samsung IPR, "Samsung is challenging the same claims of the same grounds" as set forth in the present Petition. Pet. 1. The Petitioner also indicates that the present Petition relies on a Declaration of Paul Min, Ph.D. (Ex. 1003) that was previously submitted as Exhibit 1003 in the Samsung IPR. *Id.* at 1 n.1; *see also* Ex. 1019 (Declaration of Dr. Min stating, *inter alia*, that he adopts his testimony in Exhibit 1003 for purposes of this proceeding). In the Motion

for Joinder, Petitioner further represents that the present Petition "is substantively the same as the Samsung IPR petition," "challenges the same claims, on the same grounds, and relies on the same prior art as the Samsung IPR petition." Mot. 1.

Upon consideration of the arguments and evidence presented in the petition and preliminary response in the Samsung IPR, the Board determined that Samsung did not establish a reasonable likelihood that it would prevail with respect to the grounds asserted therein, and the Board accordingly denied institution of *inter partes* review on the merits in that proceeding on February 11, 2025. *See* IPR2024-01249, Paper 12. Because the present Petition challenges the same claims, on the same grounds, based on substantially the same arguments and evidence, that prior denial dictates that institution likewise be denied in this proceeding.

B. Motion for Joinder

Joinder for purposes of an *inter partes* review is governed by 35 U.S.C. § 315(c), which states as follows:

> JOINDER.—
>
> If the Director institutes an inter partes review, the Director, in his or her discretion, may join as a party to that inter partes review any person who properly files a petition under section 311 that the Director, after receiving a preliminary response under section 313 or the expiration of the time for filing such a response, determines warrants the institution of an inter partes review under section 314.

Because joinder under 35 U.S.C. § 315(c) is premised on an *inter partes* review having been instituted, and the Board did not institute review in the Samsung IPR to which Petitioner seeks to join, we deny the Motion for Joinder.

III. CONCLUSION

For the reasons stated above, we do not institute an *inter partes* review of the '505 patent, and we deny Petitioner's Motion for Joinder to the Samsung IPR.

IV. ORDER

In consideration of the foregoing, it is hereby

ORDERED that the Petition (Paper 3) is *denied* as to all challenged claims, and no trial is instituted; and

FURTHER ORDERED that Petitioner's Motion for Joinder (Paper 2) is *denied*.

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