

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

SHENZHEN TUOZHU TECHNOLOGY CO., LTD,
Petitioner,

v.

STRATASYS, INC.,
Patent Owner.

IPR2025-00354
Patent 8,747,097 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
Granting Patent Owner's Request for Discretionary Denial
and Denying Institution of *Inter Partes* Review

Stratasys, Inc. (“Patent Owner”) filed a request for discretionary denial (Paper 7, “DD Req.”) in the above-captioned case, and Shenzhen TuoZhu Technology Co., Ltd. (“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 projected final written decision due date in the Board proceeding is July 14, 2026. DD Req. 8. The district court’s scheduled trial date is June 1, 2026, and the time-to-trial statistics suggest trial will begin in July 2026. DD Opp. 8; DD Req. 8. Under the circumstances of this case, it will be inefficient to maintain two parallel proceedings when the district court scheduled trial date and the projected final written decision due date are in close proximity. Exercising discretion to deny the petition in this case reduces the inefficiencies and burdens on the parties to maintain two parallel proceedings.

Petitioner has filed a *Sotera*¹ stipulation and argues that its stipulation ensures that this IPR proceeding would be a “true alternative” to the district court proceeding. DD Opp. 14 (quoting *Sotera*, Paper 12 at 18–19). Petitioner’s invalidity arguments in the district court, however, are more expansive and include combinations of the prior art asserted in these proceedings with unpublished system prior art, which Petitioner’s stipulation is not likely to moot. *See* Ex. 2007, 117–18; *Motorola Sols. v. Stellar, LLC*,

¹ *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020) (precedential as to § II.A).

IPR2024-01205, Paper 19 at 3–4 (PTAB Mar. 28, 2025). As such, Petitioner’s stipulation reduces, but does not eliminate, the inefficiencies discussed above. *See Motorola*, Paper 19 at 3–4.

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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