

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

MOLECULAR REBAR DESIGN, LLC,
Patent Owner.

IPR2025-00357
Patent 8,968,924 B2

Before GRACE KARAFFA OBERMANN, JULIA HEANEY,
and AVELYN ROSS, *Administrative Patent Judges*.

OBERMANN, *Administrative Patent Judge*.

DECISION

Granting Institution of *Inter Partes* Review and
Granting Petitioner's Unopposed Motion for Joinder
35 U.S.C. §§ 314(a), 315(c); 37 C.F.R. § 42.122(b)

I. INTRODUCTION

On December 23, 2024, Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) filed a Petition (Paper 3, “the Samsung Petition” or “Pet.”) requesting institution of an *inter partes* review of claims 1–5 of U.S. Patent No. 8,968,924 B2. That same day, Petitioner filed a Motion for Joinder seeking to join, as a petitioner, in *LG Energy Solution, Ltd. v. Molecular Rebar Design, LLC*, IPR2024-01011 (“IPR1011”) (Paper 5, “Motion for Joinder” or “Mot.”).

On April 23, 2025, Molecular Rebar Design, LLC (“Patent Owner”) filed a Waiver of Preliminary Response to the Samsung Petition. Paper 11, (“Waiver”). Patent Owner indicates therein that it does “not oppose joinder.” Waiver 1.

On April 30, 2025, the clerk referred this case to the Board “to consider the merits and non-discretionary considerations.” Paper 12, 1–2.

For the reasons set forth below, we institute an *inter partes* review and grant Petitioner’s unopposed Motion for Joinder.

II. INSTITUTION OF *INTER PARTES* REVIEW

On December 16, 2024, the Board instituted an *inter partes* review in IPR1011 with respect to all challenged claims and on all the grounds set forth in LG Energy Solution’s Petition.¹ IPR1011, Paper 9, 43 (Institution Decision in IPR1011).

Petitioner represents that the Samsung Petition includes the same grounds, arguments, and supporting evidence as LG Energy Solution’s

¹ We refer to the Petition in IPR1011 as “LG Energy Solution’s Petition.” See IPR1011, Paper 2 (Petition in IPR1011).

Petition. Pet. 1 (“The grounds in this Petition copy the grounds presented in” IPR1011); Mot. 3 (the Samsung Petition “is substantively identical to” LG Energy Solution’s Petition). Patent Owner does not contest those facts. Instead, Patent Owner acknowledges that the Samsung “Petition ‘does not present any new grounds of unpatentability; rather it is substantively identical to’” LG Energy Solution’s Petition. Waiver 1.

We agree with the parties that the Samsung Petition “involves the same patent, challenges the same claims, relies on the same expert declaration, and is based on the same grounds and combinations of prior art.” *Id.* (Patent Owner’s admission); see Mot. 3 (Petitioner, averring that the Samsung Petition and the Petition filed in IPR1011 are “substantively identical”). Under these circumstances, our reasons for instituting review based on LG Energy Solution’s Petition apply with equal force to the “substantively identical” Samsung Petition. *Id.*

Accordingly, for the same reasons set forth in the Institution Decision filed in IPR1011, we institute review on all claims and all grounds asserted in the Samsung Petition. See *generally* IPR1011, Paper 9 (Institution Decision in IPR1011).

III. MOTION FOR JOINDER

Petitioner requests that we join the instant proceeding with IPR1011. Mot. 1. Petitioner represents that LG Energy Solution “does not object to Petitioner joining” IPR1011. *Id.*

Joinder is governed by 35 U.S.C. § 315(c), which recites:

(c) 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 parties review under section 314.

By regulation, the Director's discretion to join proceedings has been delegated to the Board. *See* 37 C.F.R. § 42.4(a). Thus, we have discretion to join Petitioner to IPR1011, if such an action is warranted.

Petitioner contends that joinder is appropriate in this case because: (1) the Motion for Joinder is timely, having been “filed within one month of the institution decision” in IPR1011; (2) the Samsung Petition “is substantially identical to the” Petition filed in IPR1011; (3) “joinder will have minimal, if any, impact on the trial schedule, as all issues are substantively identical”; (4) Petitioner agrees to “accept an ‘understudy role’” in the joined proceeding, unless LG Energy Solution, Ltd. “is terminated from” IPR1011; and (4) joinder will simplify “briefing and discovery” as all issues will be resolved “in a single proceeding.” Mot. 3–4.

Patent Owner contests none of those facts. To the contrary, Patent Owner does “not oppose” the Motion for Joinder and “fully expects this proceeding to be joined with” IPR1011. Waiver 1.

Having considered Petitioner's Motion for Joinder, as well as Patent Owner's Waiver, we determine that joinder of the instant proceeding with IPR1011 is appropriate. Accordingly, we grant Petitioner's unopposed Motion for Joinder, subject to the requirements set forth in the Order below.

IV. ORDER

It is

ORDERED that pursuant to 35 U.S.C. § 314(a), an *inter partes* review is hereby instituted as to claims 1–5 of the '924 patent on the grounds set forth in the Petition;

FURTHER ORDERED that Petitioner's Motion for Joinder is *granted*, and Petitioner is joined as a petitioner in IPR2024-01011;

FURTHER ORDERED that Petitioner shall have an "understudy" role in IPR2024-01011 under the conditions reproduced above (*see* Mot. 4);

FURTHER ORDERED that all further filings in the joined proceeding shall be made in IPR2024-01011, and that IPR2025-00357 is terminated and no further filings shall be made in IPR2025-00357;

FURTHER ORDERED that the Scheduling Order in IPR2024-01011 remains unchanged, and shall govern the joined proceeding;

FURTHER ORDERED that a copy of this Decision shall be entered in IPR2024-01011; and

FURTHER ORDERED that the case caption in IPR2024-01011 shall be modified to reflect Petitioner's joinder in accordance with the attached example.

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v.

MOLECULAR REBAR DESIGN, LLC,
Patent Owner.

IPR2024-01011²
Patent 8,808,909 B2

² Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. were joined as parties to this proceeding via a Motion for Joinder in IPR2025-00357.