

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

WEBGROUP CZECH REPUBLIC, A.S. and NKL ASSOCIATES, S.R.O.,
Petitioner,

v.

DISH TECHNOLOGIES LLC,
Patent Owner.

IPR2025-00467 (Patent 10,469,554 B2)
IPR2025-00468 (Patent 10,951,680 B2)
IPR2025-00469 (Patent 11,470,138 B2)
IPR2025-00470 (Patent 11,677,798 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

IPR2025-00467 (Patent 10,469,554 B2)
IPR2025-00468 (Patent 10,951,680 B2)
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DISH Technologies, LLC (“Patent Owner”) filed a request for discretionary denial (Paper 7, “DD Req.”) in the above-captioned case, and WebGroup Czech Republic A.S. and NKL Associates, S.R.O. (“Petitioner”) filed an opposition (Paper 10, “DD Opp.”).¹

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

Some factors counsel against discretionary denial. For example, the challenged patents have not been in force for a significant period of time (issued in 2019, 2021, 2022, and 2023), such that the Patent Owner has not developed strong settled expectations.

Other factors, however, weigh in favor of discretionary denial. In particular, despite that the patents were issued relatively recently, they have already been the subject of multiple proceedings. For example, the patent challenged in IPR2025-00467 was also the subject of IPR2024-00045 (final written decision issued on April 14, 2025), IPR2024-00903 (joined to IPR2024-00045), IPR2024-00514 (discretionary denial of institution), and an ITC investigation.² The Board has issued final written decisions addressing almost all of the claims challenged by Petitioner in these proceedings. *See, e.g., Aylo Freesites Ltd. v. Dish Techs. LLC*, IPR2024-

¹ Citations are to the papers in IPR2025-00467. Similar papers can be found in IPR2025-00468, IPR2025-00469, and IPR2025-00470.

² The respondents in the ITC proceeding do not include Petitioner, but the ITC investigation addressed the patent challenged in IPR2025-00467.

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00045, Paper 59 at 3 (PTAB April 14, 2025) (holding unpatentable claims 1–3, 5, 16–20, 22, 26–28, and 30 and holding not unpatentable claims 4, 7, 8, 10–14, and 23–25 of the patent challenged in IPR2025-00467). Petitioner does not provide persuasive reasoning why an *inter partes* review is an appropriate use of Board resources under these circumstances. In view of the number of prior proceedings involving the challenged patents and in the absence of a persuasive reason from Petitioner, these circumstances favor discretionary denial.

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 Petitions are 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 Petitions are *denied*, and no trial is instituted.

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