

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

SANDISK TECHNOLOGIES INC. and
WESTERN DIGITAL TECHNOLOGIES, INC.,
Petitioner,

v.

POLARIS POWERLED TECHNOLOGIES, LLC,
Patent Owner.

IPR2025-00515 (Patent 9,183,085 B2)
IPR2025-00516 (Patent 8,601,346 B2)
IPR2025-00517 (Patent 8,554,968 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

IPR2025-00515 (Patent 9,183,085 B2)

IPR2025-00516 (Patent 8,601,346 B2)

IPR2025-00517 (Patent 8,554,968 B2)

Polaris PowerLED Technologies, LLC (“Patent Owner”) filed a request for discretionary denial (Paper 9, “DD Req.”) in the above-captioned cases, and Sandisk Technologies, Inc. and Western Digital Technologies, Inc. (“Petitioner”) filed an opposition (Paper 12, “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 considerations counsel against discretionary denial. For example, the parallel district court litigation involving Patent Owner and Petitioner has been stayed. However, other considerations favor discretionary denial. For example, the challenged patents have been in force for approximately nine, twelve, and twelve years, creating strong settled expectations, and Petitioner does not provide any persuasive reasoning why an *inter partes* review is an appropriate use of Board resources. *Dabico Airport Sols. Inc. v. AXA Power ApS*, IPR2025-00408, Paper 21 at 2–3 (Director June 18, 2025). In the absence of any such information, the Office is disinclined to disturb the settled expectations of Patent Owner.

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:

¹ Citations are to papers in IPR2025-00515. The parties filed similar papers in IPR2025-00516 and IPR2025-00517.

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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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