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Paper 9
Date: July 17, 2025

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 ROOT TECHNOLOGY CO., LTD.,
Petitioner,

v.

WILLOW BLOSSOM HOLDCO LIMITED,[1]
Patent Owner.

IPR2025-00554 (Patent 11,806,454 B2)
IPR2025-00560 (Patent 11,813,381 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
Referring the Petitions to the Board

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[1] Willow Blossom Holdco Limited acquired these patents from original patent owner Chiaro Technology Ltd. subsequent to the filing of the petitions in the instant cases. *See* Paper 5, 2. The caption is updated to reflect this change of ownership.

Willow Blossom Holdco Limited ("Patent Owner") filed a request for discretionary denial (Paper 13, "DD Req.") in the above-captioned cases, and Shenzhen Root Technology Co. Ltd. ("Petitioner") filed an opposition (Paper 14, "DD Opp.").[2]

After considering the parties' arguments and the record, and in view of all relevant considerations, discretionary denial of institution is not appropriate in these proceedings. This determination is based on the totality of the evidence and arguments the parties have presented.

In particular, the challenged patents have not been in force for a significant period of time (issued in 2023). Accordingly, Patent Owner has not developed strong settled expectations that favor discretionary denial. Additionally, early challenges favor robust, predictable patent rights and weigh against discretionary denial. Furthermore, the related district court proceeding is currently stayed. DD Opp. 8. In addition, Petitioner provides persuasive reasoning, supported by evidence, that discretionary denial under 35 U.S.C. § 325(d) is not appropriate. *Id.* at 16–23.

Although certain arguments are highlighted above, the determination not to exercise discretion to deny institution is based on a holistic assessment of all of the evidence and arguments presented. Accordingly, the Petitions are referred to the Board to handle the cases in the normal course, including by issuing a decision on institution addressing the merits and other non-discretionary considerations, as appropriate.

In consideration of the foregoing, it is:

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[2] Citations are to papers in IPR2025-00560. The parties filed similar papers in IPR2025-00554.

ORDERED that Patent Owner's request for discretionary denial is *denied*;

FURTHER ORDERED that the Petitions are referred to the Board; and

FURTHER ORDERED that neither party shall file a request for rehearing or Director Review of this decision until the Board issues a decision on institution.

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