

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

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

v.

OS-NEW HORIZON PERSONAL COMPUTING SOLUTIONS LTD.,
Patent Owner.

IPR2025-00613
Patent 8,401,875 B2

Before KALYAN K. DESHPANDE,¹ *Acting Deputy Chief Administrative
Patent Judge.*

DECISION
Denying Institution of *Inter Partes* Review

¹ Coke Morgan Stewart, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office, is recused and took no part in this decision. The Acting Director has delegated her authority in a Notice of Delegation. *See* <https://www.uspto.gov/sites/default/files/documents/deshpande-delegation-letter.pdf>.

OS-New Horizon Personal Computing Solutions Ltd. (“Patent Owner”) filed a request for discretionary denial (Paper 7, “DD Req.”) in the above-captioned case, and Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) filed an opposition (Paper 9, “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 September 20, 2026. DD Req. 9. The district court’s scheduled trial date is June 1, 2026. *Id.* at 8. As such, it is unlikely that a final written decision in this proceeding will issue before the district court trial occurs. Additionally, the challenged patent has been in force for more than 12 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 Solutions Inc. v. AXA Power ApS*, IPR2025-00408, Paper 21 at 2–3 (Director June 18, 2025).

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

IPR2025-00613
Patent 8,401,875 B2

FURTHER ORDERED that the Petition is *denied*, and no trial is instituted.

IPR2025-00613
Patent 8,401,875 B2

FOR PETITIONER:

Lori Gordon
Douglas Kline
Naomi Birbach
Theodoros Konstantakopoulos
GOODWIN PROCTER LLP
gordon-ptab@goodwinlaw.com
dkline@goodwinprocter.com
nbirbach@goodwinlaw.com
tkonstantakopoulos@goodwinlaw.com

FOR PATENT OWNER:

Roger Thompson
Damir Cefo
VILLEGAS & CEFO, LLC
dcefo@cohengresser.com
roger@thompson-ip.com