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Paper 12
Date: September 19, 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

AMERICAN AIRLINES, INC. and SOUTHWEST AIRLINES CO.,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

IPR2025-00782 (Patent 7,324,469 B2)
IPR2025-00931 (Patent 8,332,844 B1)

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

Intellectual Ventures II LLC ("Patent Owner") filed a request for discretionary denial (Paper 7, "DD Req.") in the above-captioned case, and American Airlines, Inc. and Southwest Airlines Co. (collectively "Petitioner") filed an opposition (Paper 9, "DD Opp.").[1]

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

This case presents essentially the same discretionary considerations as those presented in IPR2025-00785 and IPR2025-00786. *See, e.g.*, *American Airlines, Inc. v. Intellectual Ventures I, LLC*, IPR2025-00785, Paper 12 (Director August 29, 2025) (denying Patent Owner's request for discretionary denial). Accordingly, that analysis is incorporated here. *Id.* at 2–3.

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 decisions on institution addressing the merits and other non-discretionary considerations, as appropriate.

In consideration of the foregoing, it is:

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

[1] Citations are to papers in IPR2025-00782. The parties filed similar papers in IPR2025-00931.

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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