

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

QUALCOMM INCORPORATED,
Petitioner,

v.

COLLABO INNOVATIONS, INC.,
Patent Owner.

IPR2025-01015
Patent 7,930,575 B2

Before COKE MORGAN STEWART, *Deputy Under Secretary of
Commerce for Intellectual Property and Deputy Director of the United
States Patent and Trademark Office.*

DECISION
Denying Institution of *Inter Partes* Review

Collabo Innovations, Inc. (“Patent Owner”) filed a request for discretionary denial (Paper 6, “DD Req.”) in the above-captioned case, and Qualcomm Incorporated (“Petitioner”) filed an opposition (Paper 8, “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.

Although the parties are engaged in a parallel proceeding involving the challenged patent, it is unclear whether a final written decision in these proceedings will issue after the district court trial occurs. The projected final written decision due date in the Board proceeding is December 22, 2026. The district court’s scheduled trial date is May 18, 2026, and the parties offer different time-to-trial statistics that suggest trial could begin between March and December 2026. DD Req. 6–9; DD Opp. 5. As such, these considerations neither favor nor counsel against discretionary denial.

Some considerations, however, favor discretionary denial. In particular, the challenged patent has been in force for approximately fourteen years, creating strong settled expectations for Patent Owner. Patent Owner provides evidence that Petitioner has had knowledge of the challenged patent since 2015, when Petitioner identified the patent publication for the challenged patent on an information disclosure statement Petitioner filed during prosecution of its own application. DD Req. 19. Additionally, the challenged patent was involved in two prior Board proceedings. *Id.* at 18–19. In those prior proceedings, the Board denied institution after determining that the petitions did not present a reasonable likelihood that a challenged claim was unpatentable. *Id.*; *Advanced Micro*

Devices, Inc. v. Collabo Innovations, Inc., IPR2019-01523, Paper 18 (PTAB March 27, 2020) (decision denying institution); *Advanced Micro Devices, Inc. v. Collabo Innovations, Inc.*, IPR2019-01524, Paper 13 (PTAB March 30, 2020) (decision denying institution). Even absent road mapping, repeated prior challenges weigh against institution.

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

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

IPR2025-01015
Patent 7,930,575 B2

FOR PETITIONER:

Scott Weidenfeller
Anupam Sharma
Christopher Eppich
COVINGTON & BURLING LLP
sweidenfeller@cov.com
asharma@cov.com
ceppich@cov.com

FOR PATENT OWNER:

David DeZern
Brandon Moore
NELSON BUMGARDNER CONROY P.C.
david@nelbum.com
brandon@nelbum.com