

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

ASTERA MANUFACTURING LTD. and CHAUVET & SONS, LLC,
Petitioner,

v.

ELECTRALED INC.,
Patent Owner.

IPR2025-01022
Patent 7,651,245 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

ElectraLED Inc. (“Patent Owner”) filed a request for discretionary denial (Paper 8, “DD Req.”) in the above-captioned case, and Astera Manufacturing Limited and Chauvet & Sons, LLC (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.

Some considerations counsel against discretionary denial. For example, the parallel district court proceeding has been transferred to the Southern District of Florida, and there is no indication that a trial date has been set. Paper 11; Ex. 1035. As such, it is likely that a final written decision in this proceeding will issue before district court trial occurs, reducing the concern of inconsistent outcomes or significant duplication of efforts.

Other considerations, however, favor discretionary denial. In particular, the challenged patent has been in force for fifteen years, creating strong settled expectations for Patent Owner, and Petitioner does not provide 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). Under these circumstances, the considerations that favor discretionary denial outweigh those that counsel against it.

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.

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