

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE  
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

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AMAZON.COM, INC.,  
AMAZON.COM SERVICES LLC, and  
AMAZON WEB SERVICES, INC.,  
Petitioner,

v.

SOUNDCLEAR TECHNOLOGIES LLC,  
Patent Owner.

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IPR2025-01067 (Patent 9,070,374 B2)  
IPR2025-01080 (Patent 9,804,819 B2)  
IPR2025-01096 (Patent 9,031,259 B2)

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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

IPR2025-01067 (Patent 9,070,374 B2)  
IPR2025-01080 (Patent 9,804,819 B2)  
IPR2025-01096 (Patent 9,031,259 B2)

SoundClear Technologies LLC (“Patent Owner”) filed a request for discretionary denial (Paper 6, “DD Req.”) in the above-captioned cases, and Amazon.com, Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. (collectively, “Petitioner”) filed an opposition (Paper 9, “DD Opp.”).<sup>1</sup> With authorization, Patent Owner filed a reply (Paper 13, “DD Reply”) and Petitioner filed a sur-reply (Paper 14, “DD Sur-reply”).

After considering the parties’ arguments and the record, and in view of all relevant considerations, discretionary denial of institution is appropriate in these proceedings. 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 involving Patent Owner and Petitioner has been stayed. DD Req. 38.

Other considerations, however, favor discretionary denial. For example, the challenged patents have been in force for ten, eight, and ten 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).

Additionally, Patent Owner presents evidence demonstrating Petitioner had knowledge of the challenged patent in IPR2025-01096 as early as 2018. DD Req. 14. Accordingly, in the absence of sufficient explanation by Petitioner, Patent Owner’s strong settled expectations tip the balance in favor of discretionary denial.

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<sup>1</sup> Citations are to papers in IPR2025-01067. The parties filed similar papers in IPR2025-01080 and IPR2025-01096.

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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 Petitions are denied under 35 U.S.C. § 314(a).

In consideration of the foregoing, it is:

ORDERED that Patent Owner's requests for discretionary denial are *granted*; and

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

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