

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., SAMSUNG ELECTRONICS
AMERICA, INC., FOSSIL GROUP, INC., FOSSIL STORES I, INC.,
FOSSIL PARTNERS, L.P., OURA HEALTH OY, AND
ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD.,
Petitioner,

v.

OMNI MEDSCI, INC.,
Patent Owner.

IPR2025-01253
Patent 12,193,790 B2

Before JOHN A. SQUIRES, *Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent and Trademark Office.*

ORDER
Initiating *Sua Sponte* Director Review

On February 3, 2026, I issued a Notice granting institution of an *inter partes* review (“IPR”) in the above-referenced proceeding. Paper 19 (“Notice”). In addition to this IPR, the petitioners here (collectively, “Samsung”) filed a parallel post-grant review petition challenging the same claim of the patent challenged in this IPR. *See* PGR2025-00064 (“Samsung PGR”), Paper 1. In explaining why it filed the parallel petitions, Samsung did “not contest” Omni MedSci, Inc.’s representation in co-pending litigation that the challenged patent “has a priority date of December 31, 2012 and thus is not an [America Invents Act] patent.” IPR2025-01253, Paper 6, 4. Samsung also requested institution of this IPR and to moot the Samsung PGR. *Id.* I subsequently denied institution of the Samsung PGR and instituted review of this IPR. *See* PGR2025-00064, Paper 16; Notice 2.

On October 13, 2025, WHOOP, Inc. (“WHOOP”) filed a petition in PGR2026-00003, challenging the same claim of the patent that is challenged in this IPR. WHOOP argued that the challenged patent is eligible for post-grant review and, therefore, ineligible for IPR under 35 U.S.C. § 311(c)(1). *See* PGR2026-00003, Paper 1, 11–12. On April 1, 2026, I issued a Notice granting institution in PGR2026-00003, Paper 10; *see also id.* Paper 14 (decision granting institution). In view of the institution in PGR2026-00003, a *sua sponte* Director Review is appropriate and an efficient use of Office resources to address IPR eligibility. An opinion will issue in due course.

Accordingly, it is:

ORDERED that a *sua sponte* Director Review of the Notice granting institution of *inter partes* review (Paper 19) is initiated; and

FURTHER ORDERED that the proceeding is stayed pending a decision on Director Review or separate order lifting the stay.

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