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Paper 11
Date: October 10, 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

IMPERATIVE CARE, INC.,
Petitioner,

v.

INARI MEDICAL, INC.,
Patent Owner.

IPR2025-01021 (Patent 11,969,333 B2)
IPR2025-01025 (Patent 11,974,910 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
Referring the Petitions to the Board

Imperative Care v. Inari Medical
IPR2025-01264
Imperative Care Ex. 1045

Inari Medical, Inc ("Patent Owner") filed a request for discretionary denial (Paper 5, "DD Req.") in the above-captioned cases, and Imperative Care, Inc. ("Petitioner") filed an opposition (Paper 6, "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 these proceedings. This determination is based on the totality of the evidence and arguments the parties have presented.

In particular, these cases present the same discretionary considerations as those presented in IPR2025-00289. *See Imperative Care, Inc. v. Inari Medical, Inc.*, IPR2025-00289, Paper 9 (Director June 12, 2025) (denying Patent Owner's request for discretionary denial). Accordingly, that analysis is incorporated here. *Id.* at 2.

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 case in the normal course, including by issuing a decision 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;

FURTHER ORDERED that the Petitions are referred to the Board; and

[1] Citations are to papers in IPR2025-01021. The parties filed similar papers in IPR2025-01025.

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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