

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REOLINK INNOVATION INC. and SHENZHEN REOLINK
TECHNOLOGY CO., LTD.,
Petitioner,

v.

THROUGHTTEK CO. LTD.,
Patent Owner.

IPR2025-01327
Patent 9,727,655 B2

Before MICHAEL J. STRAUSS, DAVID C. McKONE, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

McSHANE, *Administrative Patent Judge*.

JUDGMENT
Adverse Judgment After Institution of Trial
37 C.F.R. § 42.73(b)

Petitioner, Reolink Innovation Inc. and Shenzhen Reolink Technology Co., Ltd., filed a Petition for *inter partes* review of U.S. Patent No. 9,727,655 B2 (“the ’655 patent”) on July 18, 2025, and served a copy of the Petition on Patent Owner, Throughtek Co. Ltd., at the correspondence address of record for the ’655 patent, the Litron Patent and Trademark Office. *See* Paper 2, 84 (Certificate of Service contained in the Petition). Under 37 C.F.R. § 42.8(a)(2), Patent Owner was required to file mandatory notices “within 21 days of service of the petition.” Patent Owner did not and has not filed the requisite mandatory notices. On November 10, 2025, Board administrative personnel notified Litron Patent and Trademark Office (as correspondent of record for the ’655 patent) via email that Patent Owner’s mandatory notices were past due. On December 12, 2025, *inter partes* review of this patent was instituted (Paper 6) and a Scheduling Order was entered in this case, setting a deadline for a Patent Owner response to the petition on March 9, 2026. No Patent Owner response has been filed in the case.

On April 29, 2026, we entered an Order to Show Cause as to why adverse judgment should not be entered against Patent Owner in view of its failure to file mandatory notices. Paper 8. As explained in the Order to Show Cause, we held a conference call on April 27, 2026, to discuss Patent Owner’s failure to file mandatory notices. *Id.* at 2. Mr. Michael Hawkins represented Petitioner on the call. Mr. Justin King of WPAT participated in the call but stated he did not represent Patent Owner in this case. *Id.* at 2–3. The Order to Show Cause was sent to Litron Patent and Trademark Office, as correspondent of record for the ’655 patent, and Mr. King indicated he

would also send a copy of the Order to Show Cause to Patent Owner. *Id.* at 3, 5.

The Order to Show Cause explained that under 37 C.F.R. § 42.73(b), “[a]ctions construed to be a request for adverse judgment include . . . [a]bandonment of the contest.” Paper 8, 3. The Order to Show Cause also explained that failure to participate in a proceeding, such as failure to file mandatory notices as required under 37 C.F.R. § 42.8, may be considered abandonment of the contest and result in adverse judgment against Patent Owner under 37 C.F.R. § 42.73(b). *Id.* (citing *Cellpak, Inc. v. Mambate USA Inc.*, IPR2021-00007, Paper 4 at 2 (PTAB Mar. 23, 2021)). The Order to Show Cause gave Patent Owner ten calendar days to show cause why adverse judgment should not be entered against it. *Id.* Patent Owner did not respond to the Order to Show Cause.

More than ten calendar days have elapsed since the date the Order to Show Cause was entered, and Patent Owner has not filed mandatory notices. In view of Patent Owner’s failure to file mandatory notices within the specified time period, we determine that Patent Owner has abandoned the contest. Pursuant to 37 C.F.R. § 42.73(b)(4), we construe Patent Owner’s abandonment of the contest as a request for adverse judgment. Under these circumstances, we determine that entry of judgment against Patent Owner is appropriate.

Accordingly, it is:

ORDERED that adverse judgment is entered against Patent Owner under 37 C.F.R. § 42.73(b) with respect to claims 1–19 of U.S. Patent No. 9,727,655 B2;

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FURTHER ORDERED that this proceeding is terminated and all scheduled Due Dates (*see* Paper 7) are vacated; and

FURTHER ORDERED that this constitutes a Final Written Decision under 35 U.S.C. § 318(a).

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