

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

GOOGLE LLC,
Petitioner,

v.

SOUNDCLEAR TECHNOLOGIES LLC,
Patent Owner.

IPR2025-01597
Patent 11,069,337 B2

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

DECISION
Denying Institution of *Inter Partes* Review

On September 29, 2025, Google LLC filed a petition requesting an *inter partes* review of claims 1–5 of U.S. Patent No. 11,069,337 B2 (“the ’337 patent”). Paper 1 (“Petition” or “Pet.”). With the Petition, Google filed a motion to join IPR2025-00565, previously instituted. Paper 3 (“Joinder Motion” or “Mot.”) (citing *Amazon.com, Inc., v. SoundClear Technologies LLC*, IPR2025-00565, Paper 12 (PTAB Aug. 27, 2025) (“Amazon IPR”). In its Joinder Motion, Google explains, *inter alia*, that its Petition “is substantively identical to the petition in the Amazon IPR,” and it “agrees to take an ‘understudy’ role in a joined proceeding.” Mot. 4–7.

On June 12, 2025, Google previously filed a petition requesting *inter partes* review of the ’337 patent in IPR2025-01123. After filing its Petition and Joinder Motion in this proceeding, Google filed a request to withdraw its petition in IPR2025-01123. Mot. 2; *see also*, IPR2025-01123, Paper 7 (“Withdrawal Mot.”). Google requested withdrawal “to promote efficiency and avoid duplicative proceedings” in view of the previously instituted Amazon IPR. Withdrawal Mot. 2. The Board granted Google’s motion and terminated IPR2025-01123. IPR2025-01123, Paper 8.

Google’s intent to promote efficiency and avoid duplicate proceedings is acknowledged. Google’s statutory deadline to file a proceeding, however, expired on July 31, 2025, one year after service of the complaint in the parallel litigation between Google and SoundClear Technologies LLC. *See* Pet. 75. Accordingly, Google’s Petition was filed more than one year after the date on which it was served with a complaint alleging infringement of the ’337 patent and Google is time-barred from filing a petition under § 315(b). “Petitions filed by time-barred parties should proceed only in exceptional circumstances.” *Realtek Semiconductor Corp. v. ParkerVision, Inc.*, IPR2025-00324, Paper 11 (June 25, 2025) (designated precedential

January 9, 2026). Google does not present an exceptional circumstance here beyond its goal of judicial efficiency. Judicial efficiency, however, absent other considerations, does not qualify as an exceptional circumstance that would justify institution and joinder of a time-barred party. The better course in a situation like this would have been for Google to file the petition and motion for joinder before the statutory time bar. Here, the Amazon IPR was filed in January 2025, giving Google ample time to file the petition and joinder motion. Parties do not have to wait to request joinder until the case they are seeking to join is instituted. Accordingly, the Petition is denied under 35 U.S.C. § 314(a).

In consideration of the foregoing, it is:

ORDERED that the Petition is *denied*, and no trial is instituted.

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