

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 DISPLAY CO. LTD.,
Petitioner,

v.

PICTIVA DISPLAYS INTERNATIONAL LTD.,
Patent Owner.

IPR2026-00129
Patent 12,158,250 B2

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

ORDER

The Office received a request for Director Review of the Decision granting institution in the above-captioned case and an authorized response to the request. *See* Papers 16 (“DR Request”), 17 (“DR Response”).

On November 3, 2025, a jury in *Pictiva Displays International, Ltd. v. Samsung Electronics Co.*, C.A. No. 2:23-CV-00495-JRG (E.D. Tex.), found claim 2 of U.S. Patent No. 11,828,425 B2 (“the ’425 patent”) infringed and not invalid. Paper 7, 4. On November 18, 2025, Petitioner filed a Petition for *inter partes* review (“IPR”) challenging claims 1–16¹ of U.S. Patent No. 12,158,250 (“the ’250 patent”) as obvious over combinations including Suzuki,² Diekmann,³ and Ma.⁴ Paper 1 (“Pet.”), 3. The ’250 patent is a continuation of the ’425 patent. Claim 1 of the ’250 patent, for example, contains the same limitations as claim 2 of the ’425 patent, but is narrower in scope.

In its Statement on Discretionary Denial, Patent Owner argued that the district court, in determining that claim 2 of the ’425 patent was not invalid, rejected obviousness theories that are materially the same as those Petitioner presents in this IPR. Paper 7, 7–10. I instituted this IPR after considering this argument, other discretionary factors the parties raised, and the merits. Papers 13, 14.

In the Director Review Request, Patent Owner maintains that the Petition advances grounds that are “cumulative” of (or at minimum overlap[]

¹ Patent Owner subsequently disclaimed claims 6–8, 10, 11, and 13–15. Paper 7.

² JP 2007-277631, published Oct. 25, 2007.

³ WO 2008/040323, published Apr. 10, 2008.

⁴ Ma et al., *Organic light-emitted diodes based on new n-doped electron transport layer*, 158 SYNTHETIC METALS 810–14 (2008).

significantly with)” the combination of Clix2 product and the Wei prior art reference advanced unsuccessfully in district court. DR Request 4–5. Patent Owner contends that maintaining this IPR risks the Office rendering a decision that is inconsistent with the district court’s decision. *Id.* at 13–14.

The Petition, however, raises different prior art references and a different obviousness theory than that raised in district court. *See* Paper 17, 11–12. Thus, I disagree that the district court combination of the Clix2 product and Wei “is cumulative of (or at minimum overlaps significantly with)” the asserted grounds in this IPR, DR Request 4–5, or that the district court necessarily disagreed that a skilled artisan would have combined the teachings of the prior art asserted in this IPR. Because Petitioner’s grounds are materially different from the invalidity grounds raised in district court, there is little risk of the Office rendering a decision that is inconsistent with the district court’s decision. Congress intended IPRs to be a quick and cost-effective alternative to district court litigation, *see* H.R. Rep. No. 112-98 at 48 (2011), and upon my review here, I find the instant Petition to be consistent with that purpose. Accordingly, de-instituting this IPR is not appropriate.

Patent Owner raises additional arguments on Director Review that have been considered but are not persuasive.

Having reviewed the request and response, it is:

ORDERED that the request for Director Review is denied.

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