

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RESMED CORP.,
Petitioner,

v.

FRACTUS, S.A.,
Patent Owner.

IPR2026-00191
Patent 11,031,677 B2

Before KARA L. SZPONDOWSKI, RUSSELL E. CASS, and
LISA L. TSANG, *Administrative Patent Judges*.

TSANG, *Administrative Patent Judge*.

ORDER
Denying Motion for Joinder
35 U.S.C. § 315(c); 37 C.F.R. § 42.122

I. INTRODUCTION

Resmed Corp. (“Petitioner”) filed a Petition requesting an *inter partes* review of claims 1–20 in U.S. Patent No. 11,031,677 B2 (“the ’677 patent”) (Exhibit 1001) under 35 U.S.C. §§ 311–319. Paper 1. Fractus, S.A. (“Patent Owner”) filed a brief requesting discretionary denial and a Preliminary Response. Paper 9; Paper 10.

Concurrently with the Petition, Petitioner filed a Motion for Joinder seeking joinder as a party in *Geotab Inc. and Geotab USA, Inc. v. Fractus, S.A.*, IPR2025-01026 (the “Geotab IPR”). Paper 3 (“Mot.”). Patent Owner filed an Opposition to Petitioner’s Motion for Joinder. Paper 7 (“Opp.”). And Petitioner filed a Reply to Patent Owner’s Opposition. Paper 8.

On June 2, 2026, the Director determined that “after review of the merits, the petitioner has shown a reasonable likelihood of prevailing with respect to at least one of the claims challenged in the petition, and no other non-discretionary considerations warrant denial of institution.” Paper 25, 2. Accordingly, the Director instituted the requested *inter partes* review. *Id.*

On June 16, 2026, the Board granted a joint motion to terminate the Geotab IPR because the parties in that proceeding “reached a settlement agreement and jointly request[ed] termination of the *inter partes* review” of the ’677 patent in that proceeding. IPR2025-01026, Paper 36, 2, 4. The Board terminated that proceeding “as to all parties.” *Id.* at 4.

II. DISCUSSION

Petitioner’s Motion for Joinder requests that if “Geotab terminates its involvement” in the Geotab IPR “prior to this Motion being granted, then Petitioner requests this Motion be withdrawn as moot so that Petitioner’s timely-filed Petition may be considered on its merits.” Mot. 2 n.1.

Patent Owner did not oppose Petitioner's request regarding withdrawal as moot if "Geotab terminates its involvement" in the Geotab IPR. *See* Opp. 1–6.

Because the Geotab IPR has been terminated "as to all parties," we agree with Petitioner that the Motion for Joinder is moot. Hence, we deny the Motion for Joinder as moot.

III. ORDER

Accordingly, it is
ORDERED that Petitioner's Motion for Joinder (Paper 3) is denied as moot.

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Patent 11,031,677 B2

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