

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

SAGEMCOM BROADBAND SAS,
Petitioner,

v.

ENTROPIC COMMUNICATIONS, LLC,
Patent Owner.

IPR2026-00263
Patent 11,785,275 B2

Before KALYAN K. DESHPANDE, *Chief Administrative Patent Judge*.

ORDER
According the Petition a New Filing Date

Sagemcom Broadband SAS (“Petitioner”) filed a Petition on February 20, 2026, identifying only itself as the real party-in-interest (“RPI”). Paper 1 (“Pet.”), 1. On February 26, 2026, the Board issued a Notice of Filing Date Accorded. Paper 6. Entropic Communications, LLC (“Patent Owner”) thereafter filed a request for discretionary denial (Paper 12, “DD Req.”), and Petitioner filed an opposition (Paper 13, “DD Opp.”). With authorization, Petitioner filed a supplemental opposition (Paper 16, “Supp. DD Opp.”) and Patent Owner filed a reply (Paper 17, “PO Reply”).

Patent Owner argues that the Petition fails to identify all RPIs prior to institution as required under 35 U.S.C. § 312(a)(2). DD Req. 14–16 (citing Director’s Memorandum dated October 28, 2025, designating precedential *Corning Optical Communications RF, LLC v. PPC Broadband Inc.*, IPR2014-00440, Paper 68 (PTAB Aug. 18, 2015)). Specifically, Patent Owner argues that “Petitioner fails to identify its controlling owner—Charterhouse—as a real party-in-interest.” *Id.* at 14.

In response, Petitioner filed updated mandatory notices (Paper 15) that “identify as potential RPIs every Charterhouse entity with any direct or indirect ownership in Petitioner, as well as the specific Charterhouse entity that Patent Owner identified.” Supp. DD Opp. 16, 1. Petitioner, however, “does not concede that any of these entities are actually RPIs, but identifies them out of an abundance of caution and to moot the issue raised by Patent Owner.” Paper 15, 1 n.1.

Petitioner does not identify any statutory or regulatory provision for “potential RPIs.” *See* 35 U.S.C. § 312(a)(2); 37 C.F.R. § 42.8(b)(1). To address the statutory requirement under § 312(a)(2), Petitioner’s updated mandatory notices must list the actual RPIs. *See* 37 C.F.R. § 42.8(b)(1). Petitioner argues its updated mandatory notices meet the required RPI

listing. *See* Supp. DD Opp. 1. Accordingly, Petitioner’s updated mandatory notices are accepted as listing the statutorily required RPIs.

Patent Owner argues that Petitioner’s updated mandatory notices are incomplete. Paper 17. Specifically, Patent Owner argues that “Petitioner does not even represent that the Updated Mandatory Notices identify all RPIs, or that no other entities fund, direct, control, or benefit from the Petition.” *Id.* Patent Owner, however, does not provide “sufficient evidence that reasonably brings into question the accuracy of a petitioner’s identification of RPI,” in view of the updated mandatory notices. *See Corning Optical*, Paper 68, 13. Accordingly, Patent Owner has not “met its burden of proof to establish by a preponderance the evidence that it is entitled to the requested relief,” i.e., exercising discretion to deny the Petition. *Id.* at 13–14.

Petitioner’s amendment of its RPI disclosures results in according the Petition a new filing date. Petitioner’s updated mandatory notices appear to meet the statutory requirement to name all RPIs. 35 U.S.C. § 312(a)(2). Further, unlike *Corning Optical*, according a new filing date to the Petition does not implicate a time-bar under 35 U.S.C. § 315(b) that requires terminating the proceeding. *Corning Optical*, Paper 68 at 25; *see also Yangtze Memory Techs. Co. v. Micron Tech., Inc.*, IPR2025-00098, Paper 38 at 8 (Director January 15, 2026) (informative). Specifically, the parties agree that the updated notices were submitted prior to the one year anniversary of Patent Owner serving Petitioner on June 16, 2025. Paper 16, 1 (citing Ex. 1136); *see also* Paper 17, 1 (acknowledging Petitioner filed the updated mandatory notices “the day before the one-year time bar expired.”). Thus, the Petition shall be accorded a new filing date of June 15, 2026—the

filing date of Petitioner's updated mandatory notices. *See Corning Optical*, Paper 68 at 24 (citing 37 C.F.R. § 42.106(b)).

In view of the new filing date accorded to the Petition, Patent Owner's Brief Requesting Discretionary Denial of Institution, Petitioner's Opposition to Patent Owner's discretionary denial brief, and Patent Owner's Preliminary Response, and all accompanying exhibits, will be expunged. All future deadlines for this proceeding will be based on the new filing date accorded.

In consideration of the foregoing, it is:

ORDERED that the Petition for *inter partes* review has been accorded the filing date of June 15, 2026; and

FURTHER ORDERED that the Patent Owner's Brief Requesting Discretionary Denial of Institution (Paper 12), Petitioner's Opposition to Patent Owner's discretionary denial brief (Paper 13), and Patent Owner's Preliminary Response (Paper 14), and all accompanying exhibits, shall be expunged from the record.

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