

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE  
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

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GOOGLE LLC,  
Petitioner,

v.

VIRTAMOVE, CORP.,  
Patent Owner.

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IPR2025-00487 (Patent 7,519,814 B2)  
IPR2025-00488 (Patent 7,519,814 B2)  
IPR2025-00489 (Patent 7,784,058 B2)  
IPR2025-00490 (Patent 7,784,058 B2)

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Before KALYAN K. DESHPANDE,<sup>1</sup> *Acting Deputy Chief Administrative  
Patent Judge.*

DECISION  
Denying Institution of *Inter Partes* Review

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<sup>1</sup> Coke Morgan Stewart, Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office, is recused and took no part in this decision. The Acting Director has delegated her authority in a Notice of Delegation. *See* <https://www.uspto.gov/sites/default/files/documents/deshpande-delegation-letter.pdf>.

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VirtaMove, Corp. (“Patent Owner”) filed a request for discretionary denial of institution (Paper 8, “DD Req.”) in the above-captioned cases, and Google LLC filed an opposition (Paper 9, “DD Opp.”).<sup>2</sup>

After considering the parties’ arguments and the record, and in view of all relevant considerations, discretionary denial of institution is appropriate in these proceedings. This determination is based on the totality of the evidence and arguments the parties have presented.

Some factors counsel against discretionary denial. For example, there is currently no trial date set for the parallel district court proceeding involving Petitioner and the challenged patents. DD Opp. 6–7.

Other factors, however, weigh in favor of discretionary denial. In particular, the challenged patents have been in force for more than 14 years, creating strong settled expectations, and Petitioner does not provide any persuasive reasoning why an *inter partes* review is an appropriate use of Board resources. *Dabico Airport Sols. Inc. v. AXA Power ApS*, IPR2025-00408, Paper 21 at 2–3 (Director June 18, 2025). In the absence of any such reasoning, the Office is disinclined to disturb Patent Owner’s strong settled expectations.

Although certain arguments are highlighted above, the determination to exercise discretion to deny institution is based on a holistic assessment of all of the evidence and arguments presented. Accordingly, the Petitions are denied under 35 U.S.C. § 314(a).

In consideration of the foregoing, it is:

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<sup>2</sup> Citations are to papers in IPR2025-00487. The parties filed similar papers in IPR2025-00488, IPR2025-00489, and IPR2025-00490.

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ORDERED that Patent Owner's request for discretionary denial is  
*granted*; and

FURTHER ORDERED that the Petitions are *denied*.

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