

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

ALLIANCE LAUNDRY SYSTEMS, LLC,
Petitioner,

v.

PAYRANGE LLC,
Patent Owner.

IPR2025-00950
Patent 10,891,608 B2

Before COKE MORGAN STEWART, *Acting Under Secretary of
Commerce for Intellectual Property and Acting Director of the United States
Patent and Trademark Office.*

DECISION
Denying Institution of *Inter Partes* Review

PayRange LLC (“Patent Owner”) filed a request for discretionary denial (Paper 6, “DD Req.”) in the above-captioned case, and Alliance Laundry Systems, LLC (“Petitioner”) filed an opposition (Paper 7, “DD Opp.”). With authorization, Patent Owner filed a Reply (Paper 9), and Petitioner filed a Sur-reply (Paper 10).

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

Some considerations counsel against discretionary denial. For example, the co-pending district court litigation was stayed on September 10, 2025. *See* Ex. 1026. As such, it is likely that a final written decision in this proceeding will issue before district court trial occurs.

Other considerations, however, favor discretionary denial. In particular, this is the third petition involving the challenged patent. Both of the prior petitions were denied based on the merits. *See Kiosoft Techs., LLC v. PayRange Inc.*, PGR2021-00084, Paper 12 (PTAB Dec. 16, 2021) (“Kiosoft PGR”); *CSC ServiceWorks, Inc. v. PayRange Inc.*, IPR2023-01188 (PTAB Jan. 24, 2024). Petitioner states that it “relies on the same reference, *Breitenbach*, as a primary reference for both of its grounds of invalidity” that was used in the Kiosoft PGR. DD Opp. 4. Petitioner further states that “the present Petition addresses and cures any purported deficiencies with *Breitenbach* by relying on additional references *Brown* and *Kaspar*.” DD Opp. 36. Petitioner’s admission raises concerns of road mapping and weighs in favor of discretionary denial. *See Amazon Web Servs., Inc. v. Croga Innovations, Ltd.*, IPR2025-00884, Paper 9, at 2 (Director Sept. 3, 2025).

In addition, although the challenged patent has not been in force for a significant period of time (issued in 2021), Patent Owner presents evidence that it has licensed the challenged patent, which creates some settled expectations favoring Patent Owner. DD Req. 3. The considerations favoring discretionary denial outweigh those that counsel against it.

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 Petition is denied under 35 U.S.C. § 314(a).

In consideration of the foregoing, it is:

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

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

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