

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

ASUSTEK COMPUTER INC. and
ASUS COMPUTER INTERNATIONAL,
Petitioner,

v.

NOKIA TECHNOLOGIES OY,
Patent Owner.

IPR2025-01153
Patent 10,536,714 B2

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

ORDER

Initiating *Sua Sponte* Director Review and Authorizing Briefing

On December 11, 2025, I issued a Notice granting *inter partes* review (“IPR”) in the above-referenced proceeding. Paper 14 (“Notice”). On May 8, 2026, Nokia Technologies OY (“Patent Owner”) filed a request for Director Review of the Notice (“Request”). Paper 26. In the Request, Patent Owner raises concerns that ASUSTeK Computer Inc. and ASUS Computer International (“Petitioners”) have violated their *Sotera*¹ stipulation (Ex. 1054) by raising invalidity challenges in the co-pending U.S. International Trade Commission (“ITC”) investigation that they raised or reasonably could have raised in this IPR.

Patent Owner filed the Request after the deadline for filing a Director Review request had passed; therefore, it was dismissed as untimely. *See* Ex. 3102. I find compelling, however, that the alleged *Sotera* violation giving rise to the Request occurred after the deadline. Request 15. Patent Owner’s allegations raise serious concerns given that Petitioners’ briefing in the ITC investigation appears to raise the same invalidity theories argued in the IPR petition. *See, e.g.*, Ex. 3103, 31–52. Thus, I determine that *sua sponte* Director Review is appropriate to consider whether Petitioners have violated their *Sotera* stipulation.

Accordingly, the parties are authorized to file briefs addressing whether Petitioners have violated their stipulation and, if a violation occurred, the appropriate remedy for that violation. Each party shall file a brief of no more than fifteen pages on or before June 2, 2026. Additional evidence is not authorized at this time, except as necessary to show whether Petitioners have violated their *Sotera* stipulation.

¹ *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 (Dec. 1, 2020) (precedential as to § II.A). In a *Sotera* stipulation, a petitioner represents that it will not raise in district court any ground it raised or reasonably could have raised in the IPR.

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An opinion will issue in due course.

It is:

ORDERED that a *sua sponte* Director Review of the Notice granting institution of *inter partes* review (Paper 14) is initiated;

FURTHER ORDERED that the proceeding is stayed pending a decision on Director Review or separate order lifting the stay; and

FURTHER ORDERED that Patent Owner and Petitioners are each authorized to file a brief of no more than fifteen pages addressing the issues set forth above no later than June 2, 2026.

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