

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

ADVANCED MICRO DEVICES, INC. and
PENSANDO SYSTEMS, INC.,
Petitioner,

v.

XTREAMEDGE, INC.,
Patent Owner.

IPR2025-00223 (Patent 10,985,943 B1)
IPR2025-00478 (Patent 8,924,596 B1)
IPR2025-00486 (Patent 10,873,753 B1)¹

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 Motion to Vacate
and Terminate the Proceedings

¹ This Order applies to each of the listed cases. The parties may not use this type of caption without prior authorization.

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On November 6, 2025, the Board issued a Decision granting *inter partes* review (“IPR”) in the above-referenced proceedings. Paper 14² (“Decision”). On March 9, 2026, XstreamEdge, Inc. (“Patent Owner”) sent an email to the Board requesting authorization to file a motion to vacate the institution decisions and terminate the proceedings (“Request”). Ex. 3102. In the Request, Patent Owner raises concerns that Advanced Micro Devices, Inc. and Pensando Systems, Inc. (“Petitioners”) have violated their *Sotera*³ stipulation (Ex. 1048) by raising invalidity challenges in a parallel district court litigation that they raised or reasonably could have raised in the above-identified IPR proceedings.

I have reviewed the Decision, the Request, and the relevant exhibits and determine that Director Review of the Decision is appropriate to consider whether Petitioners have violated their *Sotera* stipulation. The allegations in Patent Owner’s Request raise serious concerns, especially in view of Petitioners’ district court invalidity contentions, which appear to incorporate by reference the IPR petitions. *See, e.g.*, Ex. 3103, 10. Accordingly, I authorize Patent Owner to file a motion to vacate the institution decisions and terminate the IPRs. Patent Owner shall file a motion of no more than fifteen pages by March 20, 2026. Petitioners shall file a response of no more than fifteen pages by March 27, 2026. Additional

² All citations are to IPR2025-00223. The parties filed similar papers and exhibits in all cases.

³ *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 *inter partes* review.

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evidence is not authorized at this time, except as necessary to show whether Petitioners have violated their *Sotera* stipulation.

An opinion will issue in due course.

Accordingly, it is:

ORDERED that a *sua sponte* Director Review of the Board's decisions granting institution of *inter partes* review is initiated;

FURTHER ORDERED that the proceedings are stayed pending a decision on Director Review or separate order lifting the stay;

FURTHER ORDERED that Patent Owner is authorized to file a fifteen-page brief addressing the issues set forth above no later than March 20, 2026;

FURTHER ORDER that Petitioners are authorized to file a fifteen-page response no later than March 27, 2026; and

FURTHER ORDERED that an opinion will issue in due course.

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