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USPTO designates informative decision declining to discretionarily deny institution where multiple considerations, including U.S. manufacturing, weighed against denial

June 15, 2026

Tesla, Inc. v. Bulletproof Property Management, LLC, IPR2026-00204, Paper 14 **(Director June 15, 2026) (informative)**

In this decision, the Director declines to discretionarily deny institution where: (1) the trial date in the co-pending parallel district court litigation was vacated and the petitioner submitted a broad stipulation, thereby allowing the AIA review to function as an alternative to the co-pending litigation; (2) the petitioner demonstrated an apparent Office error; and (3) the petitioner brought an early challenge to the patents. The Director further explains that the petitioner provided evidence of U.S. manufacturing specific to the accused products, which also weighed against discretionary denial.

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