

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNAFFIX B.V.,
Petitioner,

v.

HANGZHOU DAC BIOTECH CO., LTD.,
Patent Owner.

IPR2022-01531
Patent 10,131,682 C1

Before JANET A. GONGOLA and MICHAEL W. KIM, *Vice Chief
Administrative Patent Judges*, and JAMES A. WORTH, *Acting Vice Chief
Administrative Patent Judge*.

WORTH, *Acting Vice Chief Administrative Patent Judge*.

ORDER
Providing for Briefing on Review
37 C.F.R. § 42.5

On February 9, 2023, SynAffix B.V. (“Petitioner”) filed a Petition (Paper 2) requesting an *inter partes* review of claims 1–17, 20, 21, 24–26, and 29–34 of U.S. Patent No. 10,131,682 C1 (Exs. 1001, 1002 (reexamination)). On May 26, 2023, Hangzhou DAC Biotech Co., Ltd. (“Patent Owner”) filed a Preliminary Response. Paper 9. On July 11, 2023, Petitioner filed a Preliminary Reply. Paper 11. On July 19, 2023, Patent Owner filed a Preliminary Sur-Reply. Paper 14. On August 1, 2023, Petitioner filed a brief in response. Paper 15. On August 3, 2023, Patent Owner filed a further brief in response. Paper 16.

On August 22, 2023, the Board panel issued a decision denying institution of *inter partes* review. Paper 17 (“the Decision”).

On September 21, 2023, Petitioner filed a request for Director Review. Paper 18 (“Request”).

On November 16, 2023, the Director issued an Order delegating the Director Review of the Decision to a Delegated Rehearing Panel. Paper 19. Also on November, 16, 2023, the Board issued an Order identifying the Delegated Rehearing Panel as this panel.

This Order provides Patent Owner the option to file a response to Petitioner’s Request, as follows, including on the issue of whether there is a prosecution history disclaimer.

I. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Patent Owner may file by December 1, 2023, a response brief, limited to ten pages;

FURTHER ORDERED that no new evidence may be provided; and

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FURTHER ORDERED that no other briefing is authorized at this time.

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