

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SHANGHAI HONGENE BIOTECH CORP.,
Petitioner,

v.

CHEMGENES CORP.,
Patent Owner.

IPR2023-00490
Patent 9,884,885 B2

Before JOHN G. NEW, ZHENYU YANG, and
CYNTHIA M. HARDMAN, *Administrative Patent Judges*.

PER CURIAM.

Conduct of the Proceeding
Dismissing Petitioner's Motion to Stay
37 C.F.R. § 42.5

We instituted *inter partes* review of Patent Owner Chemgenes Corp.’s (“Patent Owner”) U.S. Patent 9,884,855 B2 (the “’855 patent”) on July 20, 2023. Paper 7. On August 9, 2023, and with our authorization (*see* Paper 9), Petitioner Shanghai Hongene Biotech Corp. (“Petitioner”) filed a Motion to Stay Reissue of Patent Owner’s Reissue Application No. 18/130,902 (the “’902 application”), which seeks reissue of the ’855 patent. *See* Paper 10. Patent Owner timely filed a Response to the Motion to Stay. Paper 12.

On September 1, 2023, the U.S. Patent and Trademark Office (“USPTO”) suspended, *sua sponte*, the reissue prosecution of the ’902 application for a period of six months. *See* Ex. 3001. In view of the USPTO’s suspension of prosecution of the ’902 application, we dismiss without prejudice Petitioner’s Motion to Stay as moot.

IT IS THEREFORE:

ORDERED that Petitioner’s Motion to Stay Reissue of the ’902 application is dismissed without prejudice as moot.

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