

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BAZOOKA-FARMSTAR, LLC,
Petitioner,

v.

NUHN INDUSTRIES LTD.,
Patent Owner.

Case IPR2023-01161
Patent 11,358,425 B1

GRANT OF GOOD CAUSE EXTENSION
35 U.S.C. § 316(a)(11); 37 C.F.R. § 42.100(c)

Pursuant to 35 U.S.C. § 316(a)(11), “the final determination in an inter partes review [shall] be issued not later than 1 year after the date on which the Director notices the institution of a review under this chapter, except that the Director may, for good cause shown, extend the 1-year period by not more than 6 months” The Director has delegated the authority to extend the one-year period to the Chief Administrative Patent

Judge. *See* 37 C.F.R. § 42.100(c). In particular, 37 C.F.R. § 42.100(c) provides:

An *inter partes* review proceeding shall be administered such that pendency before the Board after institution is normally no more than one year. The time can be extended by up to six months for good cause by the Chief Administrative Patent Judge

In the absence of any extension for good cause, the Final Written Decision resolving this proceeding would be due no later than January 9, 2025. 35 U.S.C. § 316(a)(11) (Final Written Decision presumptively due no later than one year after entry of Decision on Institution); Paper 12 (Decision on Institution, dated January 9, 2024). Under the unique circumstances of this case, including the unforeseen unavailability of a panel member and various complexities of the proceeding, the Chief Administrative Patent Judge has determined that good cause exists in accordance with 37 C.F.R. § 42.100(c) to extend the one-year period for issuing a Final Written Decision in this proceeding.

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Boalick, Scott

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Scott R. Boalick
Chief Administrative Patent Judge

IPR2023-01161
Patent 11,358,425 B1

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