

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HOYMILES USA, INC.,
Petitioner,

v.

CYBOENERGY, INC,
Patent Owner.

IPR2024-01106
Patent 8,786,133 B2

Before KARL D. EASTHOM, MONICA S. ULLAGADDI, and
RUSSELL E. CASS, *Administrative Patent Judges*.

CASS, *Administrative Patent Judge*.

ORDER

Conduct of the Proceeding
37 C.F.R. § 42.5; 37 C.F.R. § 42.20(d)

CyboEnergy, Inc. (Patent Owner) filed a request for a one-week extension of time to file its Preliminary Response in this proceeding. Paper 6. Patent Owner states that good cause exists for the extension because the parties have reached an agreement in principle to settle the underlying litigation, which will include terminating this IPR proceeding once the agreement is finalized and signed. Patent Owner states that finalizing the settlement agreement has taken longer than expected, and seeks the extension to provide time to finalize the agreement. Patent Owner also represents that Petitioner does not oppose this Request.

In light of the foregoing, we find that Patent Owner has established good cause for its proposed extension. Accordingly, we grant Patent Owner's request for a one-week extension to file its Preliminary Response.

It is therefore:

ORDERED that Patent Owner's request for a one-week extension to file its Preliminary Response is GRANTED.

IPR2024-01106
Patent 8,786,133 B2

For PETITIONER:

Darlene Ghavimi-Alagha
Matthew Blair
K&L GATES LLP
darlene.ghavimi@klgates.com
matthew.blair@klgates.com

For PATENT OWNER:

Gianni Minutoli
Larissa Bifano
Stefan Greenewald
DLA Piper LLP
gianni.minutoli@dlapiper.com
larissa.bifano@dlapiper.com
stefan.greenewald@gmail.com