

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CMS CEPACOR LTD. and
CMS CEPACOR AMERICAS LLC,
Petitioner,

v.

SANDVIK INTELLECTUAL PROPERTY AB,
Patent Owner.

IPR2024-01380 (Patent 9,827,568 B2)
IPR2024-01381 (Patent 11,014,090 B2)

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

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Judge. *See* 37 C.F.R. § 42.100(c) (2025). 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, final written decisions resolving these proceedings would be due no later than March 18, 2026. *See* 35 U.S.C.

§ 316(a)(11) (final written decision presumptively due no later than one year after entry of decision on institution); IPR2024-01380, Paper 8 (Decision Granting Institution of *Inter Partes* Review, dated March 18, 2025);

IPR2024-01381, Paper 9 (same). However, due to complex issues involved in these proceedings, as well as panel workload considerations, the Chief Administrative Patent Judge has determined in accordance with 37 C.F.R.

§ 42.100(c) that good cause exists under the unique circumstances presented to extend the one-year period for issuing the final written decisions in these proceedings.



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Kalyan K. Deshpande
Chief Administrative Patent Judge

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