

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CMS CEP COR LTD. and
CMS CEP COR AMERICAS LLC,
Petitioner,

v.

SANDVIK INTELLECTUAL PROPERTY AB,
Patent Owner.

IPR2024-01380
Patent 9,827,568 B2

IPR2024-01381
Patent 11,014,090 B2¹

Before CYNTHIA L. MURPHY, RICHARD H. MARSCHALL, and
ARTHUR M. PESLAK, *Administrative Patent Judges*.

PESLAK *Administrative Patent Judge*.

¹ We address both cases in a single Order for efficiency. The parties are not permitted to use a combined caption.

ORDER

Extending One-Year Pendency for Good Cause
35 U.S.C. § 316(a)(11); 37 C.F.R. § 42.100(c)

In each referenced proceeding, Petitioner filed a Petition requesting *inter partes* review of the patent challenged in the proceeding. On March 18, 2025, the Board instituted trial in each proceeding. Paper 8.² The one-year period normally available to issue a Final Written Decision expires on March 18, 2026 in each proceeding.

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 accordance with 37 C.F.R. § 42.100(c), the Chief Administrative Patent Judge has determined that good cause exists to extend the one-year period for issuing a Final Written Decision here. Paper 53; 37 C.F.R. § 42.100(c). Accordingly, the time to administer the present proceeding is extended. Paper 53, 2.

² We refer to the papers filed in IPR2024-01380 for ease of reference. Corresponding papers were filed in each referenced proceeding.

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It is:

ORDERED that good cause exists to extend the time of pendency in this proceeding; and

FURTHER ORDERED that the one-year period for issuing the final written decision in these proceedings is extended by up to six months.

FOR PETITIONER:

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