

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SKECHERS U.S.A., INC.,
Petitioner,

v.

FAST IP, LLC,
Patent Owner.

IPR2026-00343
Patent 11,871,811 B1

Before KALYAN K. DESHPANDE, *Chief Administrative Patent Judge*.

ORDER
Granting Petitioner's Motion to File Corrected Petition
37 C.F.R. § 42.104(c)

On June 12, 2026, Skechers U.S.A., Inc. (“Petitioner”) filed a “Motion to File Corrected Petition.” Paper 9 (“Motion”). Petitioner states that it “has conferred with [Patent Owner], who has stated that they ‘do not agree or object, but rather agree that we will allow Petitioner to ask the Board/Director for guidance on fixing these errors and will follow the Board’s/Director’s guidance.’” Motion 1. Patent Owner did not file an opposition to Petitioner’s Motion, and the deadline to do so has passed, so we consider the Motion to be unopposed. 37 C.F.R. § 42.25(a)(1) (2026) (“An opposition is due one month after service of the motion.”).

Petitioner seeks to “correct minor typographical and/or clerical errors in the Petition” because it “references the claim language and numbering of U.S. Patent No. 11,871,811 (EX1001) (‘the ’811 patent’) as issued on January 16, 2024, without accounting for changes introduced by way of an August 27, 2024 Certificate of Correction (submitted herewith as EX1027).” Motion 1; *see* Paper 1 (“Petition”). Petitioner requests to make the following changes: (1) “References to claim 12 should instead refer to claim 11”; (2) “References to claim 13 should instead refer to claim 12”; and (3) “The language of claim 3, referred to as, ‘wherein first elastic portion defines . . . ,’ should be corrected to, ‘wherein the first elastic portion defines.’” Motion 1. Petitioner also filed clean and red-line versions of a Corrected Petition as attachments to the Motion. *Id.*, Att. A, B.

In support of its Motion, Petitioner asserts that (1) “the errors . . . are entirely typographical and/or clerical,” and “Petitioner became aware of this error upon routine review of the file history of the ’811 patent,” (2) it “acted with reasonable diligence to quickly correct the errors upon discovery,” “contact[ing] the Board for leave to file the motion” within two weeks, (3)

correcting the errors will not prejudice Patent Owner because “[t]he corrections sought herein affect only claim numbering and one issue of antecedent basis, all of which had previously been corrected in the patent itself, and are reflected by its Certificate of Correction which resides in the publicly available prosecution history,” and “Petitioner’s substantive arguments . . . remain unchanged in the corrected Petition,” and (4) “[c]orrecting misnumbered claims and restoring an inadvertently omitted antecedent basis would only have a positive impact on the proceeding.” Motion 2–4.

We find these explanations and arguments by Petitioner persuasive, particularly in light of the unopposed nature of the Motion. Therefore, we grant Petitioner’s Motion.

It is:

ORDERED that Petitioner’s Motion to File Corrected Petition is *granted*;

FURTHER ORDERED that Petitioner shall file the clean version of the Corrected Petition (Motion, Att. A) as a paper within five (5) business days from the date of entry of this Order;

FURTHER ORDERED that the Corrected Petition shall be accorded the filing date of the corresponding Original Petition (*see* Paper 1); and

FURTHER ORDERED that Petitioner shall file the red-line version of the Corrected Petition (Motion, Att. B) as an exhibit within five (5) business days from the date of entry of this Order.

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