

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GD ENERGY PRODUCTS, LLC,
Petitioner,

v.

KERR MACHINE COMPANY,
Patent Owner.

PGR2025-00031
Patent 12,152,582 B2

Before CARL M. DeFRANCO, BRENT M. DOUGAL, and
RYAN H. FLAX, *Administrative Patent Judges*.

FLAX, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

Kerr Machine Company (“Patent Owner”) is the owner of U.S. Patent 12,152,582 B2 (Ex. 1001, “the ’582 patent”). Paper 4, 1 (Patent Owner’s Mandatory Notice). On February 6, 2025, GD Energy Products, LLC (“Petitioner”) filed a Petition for post-grant review challenging the patentability of claims 1–15 (all claims) of the ’582 patent. Paper 1, 1 (“Pet.”); *see also* Paper 5 (Notice of Filing Date on Feb. 28, 2025). We instituted trial in this proceeding on July 10, 2025. Paper 12.

On September 17, 2025, Patent Owner requested a conference call to discuss its intention not to file a response in this proceeding. The conference call was held between counsel for Patent Owner and Petitioner, and the Panel, on September 22, 2025. This Order is entered for the purpose of summarizing and commemorating the parties’ positions asserted at that call.

Patent Owner confirmed that it will not file a response to the Petition (and Institution Decision), or any other anticipated papers or evidence, in this proceeding. Patent Owner also stated that it is not expressly abandoning the proceeding and requests that the Board enter a final decision in due course. Petitioner also requested that a final decision be entered in due course. The parties each agreed to keep the Board updated should any relevant circumstances change.

No relief or action is ordered at this time.

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