

**Proposed Amendments to 35 U.S.C. § 6(c)**  
**(Relating to Make-up of PTAB Judge Panels)**

35 U.S.C. 6 PATENT TRIAL AND APPEAL BOARD ...

~~(c) 3-MEMBER PANELS.—Each appeal, derivation proceeding, post-grant review, and inter partes review shall be heard by at least 3 members of the Patent Trial and Appeal Board, who shall be designated by the Director. Only the Patent Trial and Appeal Board may grant rehearings.~~

(1) IN GENERAL.—Each appeal, derivation proceeding, post-grant review, and inter partes review shall be heard by at least 3 members of the Patent Trial and Appeal Board, who shall be designated by the Director.

(2) INELIGIBILITY TO HEAR REVIEW.—A member of the Patent Trial and Appeal Board who participates in the decision to institute a post-grant review or an inter partes review of a patent shall be ineligible to hear the review.

(3) REHEARINGS.—Only the Patent Trial and Appeal Board may grant rehearings.