

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MINERVA SURGICAL, INC.,  
Petitioner,

v.

HOLOGIC, INC.,  
Patent Owner.

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IPR2016-00868  
Patent 6,872,183 B2

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Before MEREDITH C. PETRAVICK, MITCHELL G. WEATHERLY, and  
TIMOTHY J. GOODSON, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

ORDER

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

On October 6, 2016, the Board instituted an *inter partes* review of claims 1–15 of U.S. Patent No. 6,872,183 B2 in the present proceeding. Paper 10, 37–38. The one-year period normally available to issue a Final Written Decision expires on October 6, 2017.

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 Judge. . . .

In accordance with 37 C.F.R. § 42.100(c), the Chief Judge has determined that good cause exists to extend the one-year period for issuing a Final Written Decision here. Paper 56; 37 C.F.R. § 42.100(c). Accordingly, the time to administer the present proceeding is extended by up to six months. The Board will contact the parties to arrange for a conference call to discuss the impact of *Aqua Products, Inc. v. Matal*, No. 2015-1177 (Fed. Cir. Oct. 4, 2017), on the present proceeding.

It is

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

FURTHER ORDERED that this proceeding is extended by up to six months.

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Patent 6,872,183 B2

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