Central Reexamination Unit (CRU)
PPAC report

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Director, Central Reexamination Unit
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Patent Public Advisory Committee quarterly meeting
CRU staffing

- 1 SES Group Director
- 8 Supervisory Patent Reexamination Specialists
- 74 Patent Reexamination Specialists
  - GS-15
  - average of 15-20 years examination experience.
- 1 Managing Quality Assurance Specialist
- 1 Manager for Technical Support Staff
  - 8 Paralegals
  - 3 Legal Instrument Examiners
- Administrative support
  - 1 Office Manager
  - 1 Secretary
Ex *parte* reexamination Filings

- 1168 filed since 2016
- 62% increase from FY20 to FY21
  - FY20 filings: 168
  - FY21 filings: 273
- 345 currently pending
Ex parte reexamination

Timing: Order or denial

- Average time to Order or Denial in FY21:
  - Order (264 cases): 1.1 months
  - Denial (13 cases): 1.7 months
- Substantial new question of patentability (SNQ) found in 95.3% of cases
**Ex parte** reexamination
Timing: Notice of Intent to Issue Reexamination Certificate (NIRC)

- Average time to NIRC in FY 2021:
  - 10.6 months for cases without appeals
    - N = 156
  - 15.9 months total for all cases
    - N = 186
Legacy *inter partes* reexamination

- 27 total pending
  - 11 at CAFC
  - 15 at PTAB
  - 1 at CRU
Supplemental examination (SE) Filings

- 386 filed since inception of AIA in 2012
  - 322 granted a filing date
Supplemental examination (SE)
Timing: SNQ determination and issuance of SE Certificate

- Average time to SNQ Determination/Issuance of SE certificate in FY21:
  - 0.9 months
- SNQ data since inception in 2012:
  - SNQ found 68.5%
    - Found: $N = 218$
    - Not found: $N = 100$
SE based reexaminations ordered
Timing: Average time to NIRC

• Average time to NIRC in FY21:
  – 9.8 months (without appeal)
  – 15.8 months (total)
Reissue proceedings
Filings

- 4206 filed since 2016
- 9.4% decrease from FY20 to FY21
  - FY20 filings: 714
  - FY21 filings: 647
- 1854 currently pending
Reissue proceedings
Timing: Average time to allowance

- For each of past 6 years:
  - Less than 3 years
- For FY21:
  - 35.2 months
In re Vivint, Inc.

Thank you!

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