

# Mandatory Notice

## 5.1 Approved/Rejected

The rules require that parties to a proceeding provide certain mandatory notices, including identification of the real parties-in-interest, related matters, lead and back-up counsel, and service information. § 42.8.

- If the party is the Petitioner, the required mandatory notices are typically submitted as part of the petition. See §§ 42.104, 42.204.
- If the Party is the Patent Owner, the required mandatory notices are to be filed within 21 days of service of the petition. § 42.8(a) (2).
- Where there is a change of information, a party must file a revised notice within 21 days of the change. § 42.8(a) (3).

The mandatory notices will either be approved or rejected as discussed in sections 5.1.1 and 5.1.2 below depending on whether they meet the requirements of § 42.8.

### 5.1.1 Petition – approved with petition filing

The Petitioner's mandatory notices are to be filed as part of the petition. After the Petition is filed, the PTAB will review the Petition and either accept it or identify it as deficient. If the Petition is approved, the mandatory notices are therefore approved as they are included in the Petition. One of the possible reasons for marking a petition as deficient is if the mandatory notices do not satisfy the requirements of § 42.8.

### 5.1.2 PO – will be approved by PTAB

Once the Patent Owner's mandatory notice is submitted, the Board will review the information to confirm that the user is facially authorized to act as the patent owner or respondent.

If the PTAB determines that the user is facially authorized to act as the patent owner or respondent, the mandatory notice will be approved.

After the mandatory notice has been approved, the case will appear in the user's docket. Approval of the mandatory notice is a prerequisite for acting as the patent owner or respondent in the case. Thus, the mandatory notice must be approved before the patent owner can file a document, such as a preliminary response.

PTAB E2E provides multiple ways of checking the status of a submitted mandatory notice.

One way to check the status of a submitted mandatory notice:

1. Click on “My Docket” on the top navigation bar, then click on “View My Docket” (see fig. 1, item 1 below)

Submitted Date	AIA Review Number	Patent Number	Petitioner	Patent Owner	Status	Action
06/13/2016	IPR2016-10593	8751500	Frances. Han	Duarte et al	3 Rejected	
05/16/2016	IPR2015-80720	5555555	Frances. Han	SATO et al	4 Approved	
09/09/2015	IPR2015-81771	5555555	Frances. Han	SATO et al	5 Pending Approval	
09/09/2015	IPR2015-81771	5555555	Frances. Han	SATO et al	Pending Approval	

Fig. 1 – My Docket

2. Click on the “As Patent Owner” tab (see fig. 1, item 2 above)
3. Find the “AIA Review Number” you want to check
4. View the “Status” of the corresponding “AIA Review Number”
  - a. If the Mandatory Notice has been filed and not been approved nor rejected, the status will be “Pending Approval” (fig. 1, item 5)
  - b. If the Mandatory Notice has been approved the status will be “Approved” (fig. 1, item 4)
  - c. If the Mandatory Notice has been rejected, the status will be “Rejected” (fig. 1, item 3)

Another way to check the status of a submitted mandatory notice:

1. Click on “My Docket” on the top navigation bar, then click on “View All Appearances” (see fig. 2, item 1)

Patent Trial and Appeal Board

Dashboard Enter Appearance As Patent Owner Initiate New Petition **My Docket** Payments Search

Home > All Appearances

## All Appearances

All Mandatory Notices

Filter by Export

Submitted Date	AIA Review Number	Patent Number	Petitioner	Patent Owner	Status	
05/16/2016	IPR2015-80720	5555555	Frances. Han	SATO et al	2 Approved	View Mandatory N
09/09/2015	IPR2015-81771	5555555	Frances. Han	SATO et al	3 Pending Approval	View Mandatory N
09/09/2015	IPR2015-81771	5555555	Frances. Han	SATO et al	Pending Approval	View Mandatory N
06/13/2016	IPR2016-10593	8751500	Frances. Han	Duarte et al	4 Rejected	View Mandatory N

Fig. 2: All Appearances

2. Find the “AIA Review Number” you want to check
3. View the “Status” of the corresponding “AIA Review Number”
  - a. If the Mandatory Notice has been filed and not been approved nor rejected, the status will be “Pending Approval” (fig. 2, item 3)
  - b. If the Mandatory Notice has been approved the status will be “Approved” (fig. 2, item 2)
  - c. If the Mandatory Notice has been rejected, the status will be “Rejected” (fig. 2, item 4)

July 7, 2016