

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INSTRUMENTATION LABORATORY COMPANY,
Petitioner,

v.

HEMOSONICS LLC,
Patent Owner.

Case IPR2017-00855
Patent 9,410,971 B2

GRANT OF GOOD CAUSE EXTENSION
35 U.S.C. § 316(a)(11) and 37 C.F.R. § 42.100(c)

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

more than one year. The time can be extended by up to six months for good cause by the Chief Administrative Patent Judge

In accordance with 37 C.F.R. § 42.100(c), the Deputy Chief Administrative Patent Judge¹ has determined that good cause exists to extend the one-year period for issuing a Final Written Decision in this proceeding.

The Supreme Court issued its decision on April 24, 2018, in *SAS Institute Inc. v. Iancu*, 138 S. Ct. 1348 (2018). Here, *SAS* has affected the parties' arguments and the Board's analysis of evidence and arguments presented. Because of the impact of *SAS* and the limited amount of time for the Board and parties to apply *SAS* to this proceeding, the Deputy Chief Administrative Patent Judge has determined that good cause exists to extend the one-year period for issuing a Final Written Decision.



Scott R. Boalick
Deputy Chief Administrative Patent Judge

¹ The Chief Administrative Patent Judge took no part in this decision to avoid any appearance of a conflict of interest. Accordingly, the Deputy Chief Administrative Patent Judge has been delegated the authority to extend for good cause.

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