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Patent Review Processing System (PRPS)

PRPS (Patent Review Processing System) is the Board's e-filing (EF) and case management (CM) system for trial proceedings. [Direct Link \(/web/20140817025907/http://ptabtrials.uspto.gov/\)](http://www.uspto.gov/ip/boards/bpai/prps.jsp).

- For questions regarding PRPS, please call the Board at (571) 272-7822. Support is provided Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. Eastern Time.

Notices

PRPS change effective July 12, 2014:

PRPS users who have a session that is idle for 30 minutes or more—and want to continue the session need to close their browser, reopen their browser to access the PRPS site and log back in. You will not receive a reminder that your session has been idle for 30 minutes or more. If you had entered information on the PRPS page without saving, you will lose the information. If you have saved your information, then it will be available when you log back in. For additional information, see FAQs A15, A16, A17, and A18.

A future release will provide a warning message when the user is idle before the 30 minutes time out is reached.

If you have any questions, you can contact the PTAB assistance line at 571-272-7822.

Suggestion Box

As PRPS is a developing system, suggestions for improvement provide important input into its future design. After seeing PRPS work, you may have suggestions for improving it. If you have suggestions, please send them to PRPS-Suggestions@uspto.gov (<mailto:PRPS-Suggestions@uspto.gov>).

General Information

- [Quick Start Guide \(/web/20140817025907/http://www.uspto.gov/ip/boards/bpai/quick_start_guide_02_14_14.pdf\)](http://www.uspto.gov/ip/boards/bpai/quick_start_guide_02_14_14.pdf)
- [Information related to the Paper Reduction Act \(/web/20140817025907/http://www.uspto.gov/ip/boards/bpai/information_related_to_paper_reduction_act.pdf\)](http://www.uspto.gov/ip/boards/bpai/information_related_to_paper_reduction_act.pdf)
- For technical reasons, the size limit for an uploaded document is currently limited to **25 megabytes**. [See FAQ A4 \(/web/20140817025907/http://www.uspto.gov/ip/boards/bpai/prps.jsp\)](#).
- Internet Explorer 8 should be used for all filings as a petitioner or patent owner. A security question is asked at the initial stage (please answer "no") and the finance stage (please answer "yes"). Public documents may be viewed, however, using Internet Explorer 8, Firefox 13, Chrome 21, or Safari 6.
- Video
 - [Low Resolution \(/web/20140817025907/http://helix-1.uspto.gov/asxgen/PRPSPromo-Helix.wmv\)](http://helix-1.uspto.gov/asxgen/PRPSPromo-Helix.wmv)
 - [High Resolution \(/web/20140817025907/http://helix-1.uspto.gov/asxgen/PRPSPromo720p.wmv\)](http://helix-1.uspto.gov/asxgen/PRPSPromo720p.wmv) (HD)

Technical Issues

- Only PDF and MPEG format files (MPEG, MPG, MP1, MP2, MP3, M1A, M2A, M1V, MPA, MPV) may be uploaded in PRPS. Password-protected files will not be accepted. For text documents, such as MS Word® documents, users are encouraged to convert the document directly into a text-searchable PDF file, rather than printing the document and scanning it in as a PDF file.
- PRPS sends an automatic email notification to the parties whenever a document is filed in a case. To view the document, you must access PRPS, open the applicable case in your docket, and select the document.
- To request a conference call for a particular case (e.g., to request authorization to file a motion), contact the Board at Trials@uspto.gov (<mailto:Trials@uspto.gov>). The email should copy the other party or parties to the proceeding, indicate generally the relief being requested or the subject matter of the conference call, state whether the opposing party or parties oppose the request, and include times when all parties are available. Unless otherwise authorized, do not include attachments in the email and do not use the Trials@uspto.gov (<mailto:Trials@uspto.gov>) email address for substantive communications to the Board. Parties may also contact the Board by telephone at (571) 272-7822.
- Effective March 19, 2013, new fees will be charged for filing a petition for an *inter partes* review, post-grant review, or covered business method patent review. See Setting and Adjusting Patent Fees, 78 Fed. Reg. 4212, 4291 (37 C.F.R. § 42.15), available at <http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf> ([/web/20140817025907/http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf](http://www.gpo.gov/fdsys/pkg/FR-2013-01-18/pdf/2013-00819.pdf)); also see FAQs E6-E7.
- Effective March 16, 2013, an applicant for a first inventor-to-file patent may file a derivation petition. See FAQs I1-I5.

6. Effective January 14, 2013 (effective date of the AIA Technical Corrections Act), a petitioner may file an *inter partes* review petition challenging a first-to-invent patent or reissue patent upon issuance including during the first nine months after issuance.
7. Should you encounter issues with using a particular deposit account in PRPS, please close out of the browser completely, clear the cookies in your browser, login to PRPS again, and input the correct deposit account number. If you are still unable to use the deposit account, please call the Board at (571) 272-7822.
8. PRPS will be undergoing an upgrade on February 15, 2014. Please see the FAQs below for more information following the upgrade.
Please note updated FAQs A9, B6, F8, F9, and G13 below.

Frequently Asked Questions (FAQs)

- A. [System Availability and General Information](#)
- B. [Searching and Reviewing Documents](#)
- C. [Registering as a PRPS User](#)
- D. [Filing a Petition](#)
- E. [Fees](#)
- F. [Submission of Patent Owner/Respondent Information and Preliminary Response](#)
- G. [Filing Other Documents](#)
- H. [Joinder and Consolidation](#)
- I. [Derivation Proceedings](#)

A. System Availability and General Information

A1. How do I log on to PRPS?

Go to the Patent Trial and Appeal Board (PTAB) Web page at: <http://www.uspto.gov/ip/boards/bpai/index.jsp> (<http://www.uspto.gov/ip/boards/bpai/index.jsp>), and then click on "Direct Link" under "Patent Review Processing System (PRPS)".

Once you are registered, close out of the browser completely, and then bring the browser back up and go to <https://ptabtrials.uspto.gov> (<https://ptabtrials.uspto.gov>). You will receive an email containing the verification code.

On the PRPS welcoming screen, click on Login and enter your User ID and password. When the screen asks for the verification code, copy and paste the verification code from the email.

A2. If PRPS is down during normal business hours or other unscheduled outage periods, may I file a petition or other documents via email or mail?

If you have any difficulties with PRPS, please call the Board at (571) 272-7822.

However, if PRPS is unavailable during normal business hours, petitions (and other documents) may be submitted to the Board via email: Trials@uspto.gov (<mailto:Trials@uspto.gov>).

Petitions submitted via email must include:

- name of point of contact;
- email address of point of contact;
- patent number to which the petition corresponds (or application number in the case of a derivation proceeding);
- application number of the patent;
- petitioner's application number (in the case of a derivation proceeding);
- number of claims challenged;
- type of trial proceeding;
- power of attorney; and
- fee, e.g., a deposit account authorization.

In addition, a petition or document submitted via email or other means must: (1) be accompanied by a motion requesting acceptance of the submission, and (2) identify a date of transmission where a party seeks a filing date other than the date of receipt at the Board. 37 C.F.R. § 42.6(b). It is important to note that a petition will not be accorded a filing date unless it is accompanied by a payment of the appropriate fees (e.g., a deposit account authorization).

Paper filing via EXPRESS MAIL® (or by means at least as fast and reliable as EXPRESS MAIL®) is authorized only if both PRPS and the Board's email address (Trials@uspto.gov (<mailto:Trials@uspto.gov>)) are unavailable. The mailing address is:

Mail Stop PATENT BOARD

Patent Trial and Appeal Board

United States Patent and Trademark Office

PO Box 1450

For hand delivery or delivery via FEDEX, UPS, etc.:

Mail Stop PATENT BOARD

Patent Trial and Appeal Board

United States Patent and Trademark Office

Madison Building (East)

600 Dulany Street

Alexandria, Virginia 22313

A3. Will extensions of time be available?

If PRPS is down during normal business hours, a party may contact the Board and request a one-day extension of time for due dates that are set by rule or orders of the Board. 37 C.F.R. § 42.5. In the unlikely event that an administrative patent judge is not available to rule on the extension, the Board may grant an extension the day after the paper is due. However, no extensions of time will be granted for any statutory time period.

A4. What is the megabyte limit for a document upload?

A single uploaded file may not exceed **25 megabytes** in size. For technical reasons, PRPS is unable to accept files over 25 megabytes at this time. USPTO expects to be able to increase the limit in future releases.

If you need to file a document that exceeds 25 megabytes, please call the Board at (571) 272-7822.

Users are encouraged to reduce the file size by:

1. splitting a large file into multiple smaller files; and/or
2. converting MS Word® documents into PDF files, rather than printing documents and scanning them in as PDF files.

A5. Is there a limit to the number of documents that can be uploaded per filing?

No.

A6. Are there any naming conventions for documents or character restrictions? (revised – Mar. 20, 2014)

There are no special naming conventions for documents, but the number of characters is limited. The user will be prompted to provide a name that will appear in the docket listing. This name should be simple and descriptive, such as "Jones Motion to Amend" or "Second Declaration of Dr. Smith." Document names must be less than 255 characters.

A7. Will the Office provide forms (e.g., power of attorney or IPR transmittal) for filing documents in a proceeding?

PRPS provides screens for the parties to enter certain information (e.g., lead and back-up counsel and real party in interest). However, the Office does not have forms beyond those PRPS fillable screens. While forms may become available with future releases, most filings will be part of motion practice rather than pre-defined forms.

A8. How can I check whether I filed a document properly?

After you upload a document in the proper format (i.e., PDF or MPEG for exhibits and PDF for all other documents) and click "Submit," you will receive an acknowledgement on the screen in PRPS and a filing receipt via email if the document is filed properly. If you did not receive an acknowledgement on the screen or a filing receipt via email, the document most likely has not been uploaded properly and you should contact the Board at (571) 272-7822. You may also check whether the document is listed in the file contents of the proceeding.

A9. If the wrong document is submitted, can it be deleted through the PRPS interface? (revised – February 14, 2014)

Yes, as long as the document has not yet been submitted. When uploading a document, users should ensure that the correct file has been selected before clicking the "Upload File" button. If the wrong document is uploaded but the "Submit" button has not yet been clicked, you may delete the document by clicking the trash can icon shown on the screen. Once all documents are uploaded, the user must click the "Submit" button to complete the submission. Documents uploaded, but not yet submitted, have not been filed with the Board.

If the wrong document was uploaded and the "Submit" button was clicked, you should file the correct document and a motion to expunge the wrong document as soon as possible. Any motion to expunge filed on the same day as the wrong document will generally be granted.

A10. Can more than one person work on a case at the same time?

Yes, more than one person may review documents or upload documents in a proceeding at the same time, even if they are sharing a user ID.

A11. Will the PAIR record for the challenged patent show whether a petition has been filed or a decision on the petition has been granted?

Yes, for example, PAIR will have entries for the following:

- Petition Requesting Trial
- Request for Trial Granted
- Request for Trial Granted in Part
- Request for Trial Denied
- Request for Trial Dismissed

Trial Termination or Final Written Decision

Trial Review Certificate Issued

A12. Is there any application programming interface (API) access to PRPS?

No, API access to PRPS is not permitted at this time.

A13. Can I download information in bulk from PRPS?

PRPS is intended for use by the general public. Due to limitations of equipment and bandwidth, PRPS is not intended to be a source for bulk downloads of USPTO data. Individuals, companies, IP addresses, or blocks of IP addresses who, in effect, deny service to the general public by generating unusually high numbers of daily PRPS accesses (e.g., searches, pages, document retrievals), whether generated manually or in an automated fashion, may be denied access to PRPS without notice.

A14. How do I enter a foreign address in PRPS?

Certain screens in PRPS allow for the entering of address information (e.g., for a petitioner or patent owner/respondent's real party in interest). In the case of a foreign address, users should select the appropriate country in the "Country" field, select the blank "-" entry in the "State" field, and then input the next three lines of the foreign address in the "Address Line 1," "City," and "Postal Code" fields.

A15. If I am idle in PRPS for less than 30 minutes, what will happen? (July 11, 2014)

Nothing as long as you are active—(key strokes, clicks, etc.)—, you can continue to work as you normally do.

A16. If I am idle in PRPS for 30 minutes or more, will I lose any of the completed uploads or activities from the timed-out session if I clicked on the save button? (July 11, 2014)

No. If you enter some data fields, then either click on the submit button or the save button to complete the activities, all changes will be saved into the PRPS system, and will not be lost from the session time-out. All documents are saved when you click on the upload button, so all uploaded documents will not be lost when you are timed out.

A17. If I am idle in PRPS for 30 minutes or more, will I lose any of the data entered from the timed-out session if I did not click on the save button? (July 11, 2014)

You will lose any data entered on the last screen in which you were active before becoming idle. For example, if you were on the counsel page and were entering data for the backup counsel but did not finish and your system was idle for 30 minutes or more, the data entered on that page would be lost.

A18. What will happen if I am idle for 30 minutes, how do I get back into my session? (July 11, 2014)

You will have to close your browser and reopen your browser to access the PRPS website. You can open the case again from 'My Docket' and locate the hyperlink under 'My Pending Tasks' to continue working on the case. Once you have uploaded all your documents, then you can submit them.

A19. What happens if I upload a document but do not click the "Submit" button? (new – August 12, 2014)

Users must click the "Submit" button to complete a submission. Documents uploaded, but not yet submitted, have not been filed with the Board and will be deleted automatically after 30 days.

B. Searching and Reviewing Documents

B1. Can I use PRPS to search for a proceeding without registering?

Yes, a non-registered user may search for a proceeding and review documents related to a proceeding. However, if you want to file a document or submit a fee payment in a proceeding, you must be a registered PRPS user.

B2. Can I search for a proceeding by the patent owner?

No, you may search for a proceeding by the petitioner's name, petition type, patent number, or application number (for derivation proceedings).

B3. Will PRPS collect and report statistics on the proceedings?

Yes, PRPS will collect and report statistics about the new proceedings. Currently, users may search the proceedings based on a particular trial type, party name, petition filing date, institution date, patent number, and application number (for derivation proceedings).

B4. Why are there gaps between trial proceeding numbers?

A trial proceeding will be listed in the search results only when the (multi-step) process of submitting a petition for instituting a trial proceeding via PRPS has been successfully completed. If the process of filing a petition is not yet completed or was never completed, a trial number will be provided but it will not be listed in the search results.

B5. Why have the prefixes of trial proceeding numbers changed from "2012" to "2013" (e.g., IPR2012 to IPR2013)?

The prefixes of trial proceeding numbers track the fiscal year. Fiscal year 2013 started on October 1, 2012. Thus, any petitions filed between October 1, 2012 and September 30, 2013 will receive a trial proceeding number with a prefix of "2013" (e.g., IPR2013 or CBM2013).

B6. Why are there gaps between paper numbers in some proceedings? (revised – February 14, 2014)

In some previous versions of PRPS, PRPS assigned a sequential number (Paper 1, 2, 3, etc.) to a paper immediately when the paper was uploaded. Thus, if a user uploaded a paper but then deleted it before submitting, the assigned number was not

reassigned, causing a gap in the numbering of papers in that proceeding. In the current version of PRPS, papers are assigned a number only when the submission process is completed, so there are no gaps in paper numbers.

C. Registering as a PRPS User

C1. Who can register?

Anyone can register to use PRPS and obtain a user ID, such as a *pro se* patent owner or an attorney who is not registered to practice before the Office under 37 C.F.R. § 11.6.

C2. What information is required to register?

When you are registering to use PRPS, you have to select a unique user ID and password, and enter your name and an email address. If you are a USPTO registered practitioner, you should enter your registration number.

C3. Can I share my user ID with my paralegals or other attorneys in my organization?

Yes, a single user ID may be shared among a working group. It is important to keep in mind, however, that PRPS docket display is based on the user ID. Therefore, the registered user must ensure that sharing his or her user ID would not violate any protective order.

D. Filing a Petition

D1. When will my petition be accorded a filing date?

Once the Office reviews the petition and determines whether the petition is complete and the appropriate fees have been paid, the Office will send a notice to the petitioner and patent owner/respondent. The submission date of the compliant petition will be accorded as the filing date.

If the petition complies with all of the statutory requirements (see 35 U.S.C. 135, 312, and 322), the original submission date of the petition will be accorded as the filing date. Conversely, no filing date will be accorded if a statutory requirement is not satisfied. For example, for fee deficiencies, the Office will accord the later submission date when all appropriate fees have been paid because the fees are required by statute. See, e.g., 35 U.S.C. 312(a)(1).

In the situation where a petition complies with all of the statutory requirements but contains only regulatory defects, the Office will accord the filing date of the original submission and notify the petitioner of the defects. The regulatory defects must then be corrected within the time period set forth in the notice.

D2. Will the Office terminate the proceeding if I filed a complete petition that contains regulatory defects and failed to correct the defects within the time period set forth in the notice?

Once the time period for correcting regulatory defects has expired, the petition will be forwarded to a Board judge who may initiate a conference call and/or issue an Order to show cause. If the petitioner fails to respond to such an Order appropriately, the proceeding may be terminated. It is important to note that the petitioner will not be entitled to a refund of any fees paid because the petition was in compliance with the statutory requirements for a filing date. For petitions filed on or after March 19, 2013, however, the petitioner may file a request for a refund of any post-institution fee paid. See FAQ E7.

D3. How will the Board review petitions for statutory and regulatory compliance? (revised - March 28, 2014)

Once a petition is submitted via PRPS, a Board paralegal will review the petition for statutory and regulatory compliance.

First, there are certain *statutory requirements* in 35 U.S.C. 135(a), 312(a), and 322(a) that must be met for a petition to be accorded a filing date. The following is a list of the "top 5" things the paralegal will be looking for in IPR, PGR, and CBM petitions:

- Appropriate fee successfully paid,
- Identification of the patent and the specific claim(s) being challenged,
- Identification of the real party in interest,
- Copies of the patents and printed publications relied upon in the petition, and
- Evidence (e.g., certificate of service) that a copy of the petition was provided to the patent owner.

The following are the "top 4" things the paralegal will be looking for in DER petitions:

- Appropriate fee successfully paid,
- Identification of the petitioner's pending application,
- Identification of the respondent's earlier filed patent or application, and
- Evidence, (e.g., certificate of service) that a copy of the petition was provided to the respondent.

If any statutory requirement is not met, the petition is *incomplete*.

- The paralegal may call the individual who filed the petition and explain the deficiency.
- The paralegal will enter a Notice of Incomplete Petition and the individual who filed the petition will receive notification by email.
- The deficiency may be corrected within one month and the petition will be accorded the filing date of the NEW submission.
- If the deficiency is not corrected within one month, the petition will be dismissed. One exception is when the petitioner challenges more than 20 claims (15 beginning March 19, 2013) but does not pay the excess claims fees – the petitioner will receive notification and can file a request to have the Board review just the first 20 challenged claims (15 beginning March 19, 2013).

Second, there are certain *regulatory requirements* in part 42 of 37 C.F.R. that must be met (e.g., page limits, font size, signature, identification of lead and back-up counsel)

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