

# ***Ex parte* reexaminations**

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## **Topics**

- Mechanics of *ex parte* reexaminations
- Use of *ex parte* reexaminations
  - By Patent Challengers
  - By Patent Owners

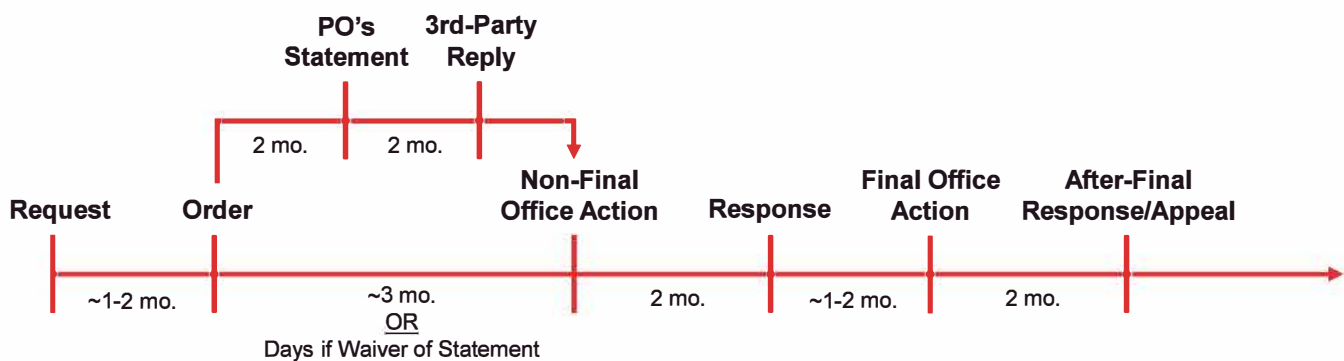
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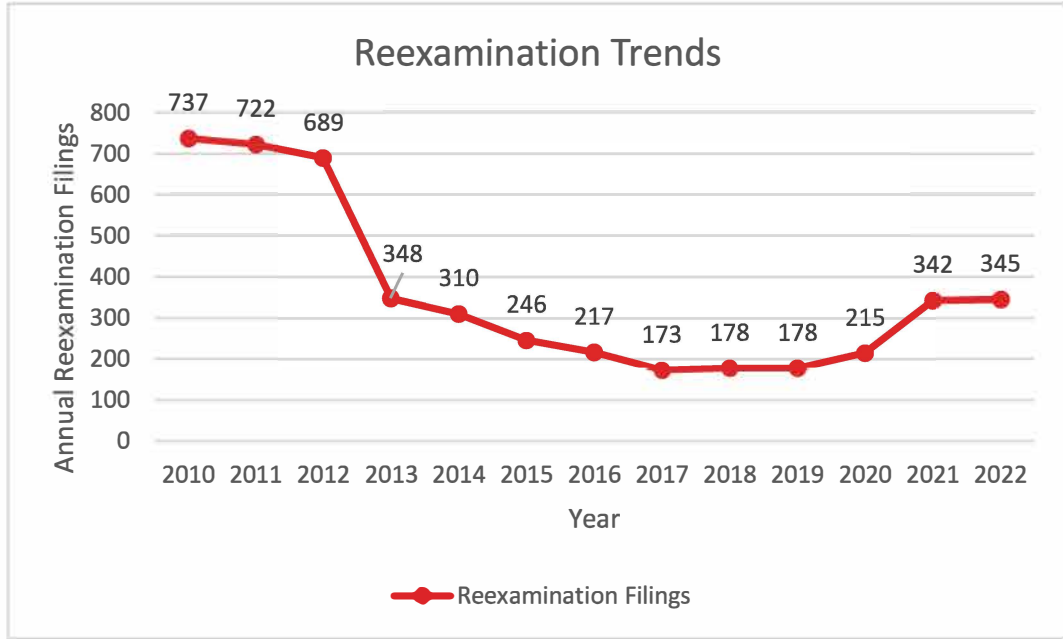
## What is an *ex parte* reexamination?

- USPTO reexamines the patentability of challenged claims of an issued patent based on prior art patents and printed publications
  - Panel of three examiners in the Central Reexamination Unit (CRU)
- Requester
  - Third-party challenger
  - Patent Owner
  - Director
- *Ex parte* proceeding
  - Limited input from a third-party challenger

## Process



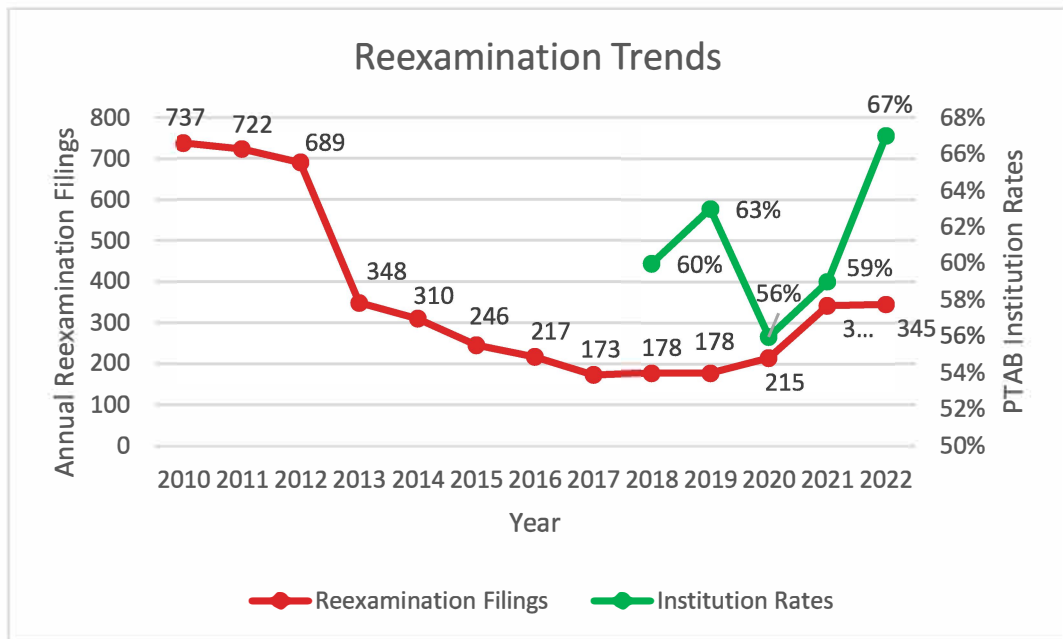
# Why use a reexamination post-AIA?



Source: Unified Patents

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# Why use a reexamination post-AIA?



Source: Unified Patents & USPTO

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First appeared as part of the conference materials for the  
28<sup>th</sup> Annual Advanced Patent Law Institute session  
"Patent Reexamination"