

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE

CENTRALSQUARE TECHNOLOGIES, LLC,
Petitioner,

v.

CARBYNE, LTD.,
Patent Owner.

IPR2025-01179
Patent 11,689,383 B2

Before JOHN A. SQUIRES, *Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent and Trademark Office.*

ORDER

Denying Request for Extension of Time to File Request for Director Review

On February 26, 2026, Carbyne, Ltd. (“Patent Owner”) requested an extension of time to file a request for Director Review of the Notice granting institution (*see* Paper 11) in the above-captioned *inter partes* review (“IPR”), which issued on December 11, 2025. Ex. 3100 (“Request”). Patent Owner seeks to file a request based on Petitioner’s claim construction positions in the district court, which it argues are different than those presented in the Petition. *Id.*

Central Square Technologies, LLC (“Petitioner”) responds that Patent Owner was aware of Petitioner’s claim construction positions in October 2025, long before the deadline to request Director Review had elapsed. *Id.* Petitioner also notes that Patent Owner was aware of the legal basis underpinning its request for Director Review well before the deadline, because a Director Review request in another IPR involving Petitioner and Patent Owner had the same issue. *Id.* (citing IPR2025-00959, Paper 20).

Patent Owner has not shown good cause to extend its deadline to request Director Review, which expired on December 26, 2025. On November 3, 2025, I issued and designated as precedential the decision in *Revvo Technologies, Inc. v. Cerebrum Sensor Technologies, Inc.*, IPR2025-00632, Paper 20 (Director Nov. 3, 2025) (precedential) (*Revvo*). *Revvo* explains that when a petitioner advances different positions before the Board and a district court, that petitioner is required to explain to the Board why those different positions are warranted. *See Revvo*, Paper 20 at 3–5. For a period of time following the decision, the Office provided liberal opportunities for parties to raise issues under *Revvo*, even where the issue was raised for the first time in a request for Director Review. *See, e.g., Infineon Techs. Am. Corp. v. MOSAID Techs., Inc.*, IPR2025-01171, Paper

27 at 4 n.2 (Director Feb. 19, 2026); *Carbyne, Inc. v. Tritech Software Sys.*, IPR2025-00959, Paper 20 at 4 n.2 (Director Feb. 19, 2026). *Revvo* has now been precedential for more than *four* months. Absent exceptional circumstances not present here (e.g., a party's taking allegedly different claim construction positions after the Director Review deadline has elapsed), the Office will not revisit on Director Review a decision on institution based on *Revvo* arguments.

Moreover, as Petitioner points out, Patent Owner was aware of Petitioner's claim construction positions before the deadline to file a request for Director Review. Ex. 3100. Thus, Patent Owner fails to establish good cause for its untimely Director Review request.

For these reasons, an extension to the time period set forth in 37 C.F.R. § 42.71(d) is not appropriate in this case and Patent Owner's request for an extension of time is denied.

Accordingly, it is:

ORDERED that the request for an extension of time to file a Director Review request (Ex. 3100) is denied.

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