

What Is Post-Grant Review?

Post-Grant Review

A **post-grant review**, or PGR, is a trial proceeding where the patentability of one or more claims in a patent is reviewed. The review process begins when a third party, who is not the patent owner, files a petition within nine months of a patent being granted or reissued. This filing challenges a patent's claim or claims based upon a specific ground. The Patent Trial and Appeal Board (PTAB) is the branch of the U.S. Patent and Trademark Office that handles the trial proceeding. The post-grant review can be filed on any grounds that are available to dispute the validity of a patent claim, except for the following: *failure to disclose the best mode requirement*.

Post-grant review procedures went into effect in 2012. The PTAB will normally make a decision on these patent review proceedings within a year. In certain cases, this time frame may be extended to 18 months.

Related Capabilities

Patent Litigation