

Using the New PRPS Electronic Filing System for Filings in Trials Before the PTAB

By, Rick Neifeld, Neifeld IP Law, PC¹

The USPTO is implementing a new electronic filing system for filing papers in all PTAB (Patent Trial and Appeal Board) trials. The system is named PRPS (Patent Review Processing System).

Following a focus group meeting (see my prior article on that meeting at http://www.neifeld.com/pubs/2012_ptab_review.pdf), the USPTO conducted a Webinar on 9/6/2012 presenting aspects of PRPS. What follows are important points from the just concluded 9/6/2012 USPTO Webinar, and information provided to me verbally in response to my questions to PTAB officials after the Webinar.

1. IE9 is not guaranteed to work with PRPS. IE8 should work with PRPS.
2. Papers for interference proceedings will NOT be filled using PRPS, at least for now. (Interference proceedings will for the time being continue to use the interference portal for filings.)
3. Papers for all the new Board proceedings WILL be filed using PRPS.
4. There is new Board number for when it is converted to the PTAB: 571-272-7822. That will be the number to call on 9/16/2012 from midnight on, and they plan to have that number manned by multiple people, midnight, on, on 9/16/2012. It functions now.
5. Only the userID associated with the lead counsel will be authorized to file papers in PRPS. Consequently, if a lead counsel delegates the initial petition filing to some paralegal, and the paralegal user her own userID and not the lead counsel's userID to log in to PRPS and file the petition, problems may result.
6. Both the userID's associated with lead and backup counsels (assuming backup counsel has a userID) will receive email notifications of filings in a PTAB trial.
7. Using a USPTO deposit account for payment of the (very large) fee for a Petition is the only reliable means for paying such fees. In case PRPS does not function properly on 9/16, a USPTO deposit account authorization may be the

only way to pay for a petition on that date, and therefore the only way to secure a 9/16 filing date.

8. There is a contingency email address which may be used if PRPS is down. That email address is: Trials@USPTO.GOV. Use of Trials@USPTO.GOV requires filing both the substantive paper and a motion (see rule 42.6(b)(2)(ii) "Filing by means other than electronic filing") requesting filing by email to Trials@USPTO.GOV.

1. I can be reached via telephone at 703-415-0012 or via the firm web site at: Neifeld.com.