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## PTAB Finds it has Discretion to Dismiss Contested IPR Proceedings Over the Patent Owner's Objection in Order to Conserve Resources

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An article by Gregory Lantier, published in Bloomberg BNA's *Patent, Trademark & Copyright Journal* on December 14, 2015.

For the first time since it began implementing America Invents Act post-grant proceedings, the Patent Trial and Appeal Board, on December 9, 2015, terminated and dismissed pending *inter partes* review (IPR) petitions at the unilateral request of the petitioner, and over the patent owner's objection, in a circumstance where termination ended all board review of the challenged claims. In so doing, the board adopted an expansive reading of 37 C.F.R. § 42.71(a), under which it suggested it can "grant, deny, or dismiss" any petition discretionarily, even where no other proceeding challenging the same claims is pending. [View the article](#)

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