

Proceeding	Statute	Rules	Timing	Issues	Word Counts/Page Limits (Effective May 2, 2016)	Duration	Discovery	Estoppel
Interference	35 USC §§ 135, 291	37 CFR Part 41 – Subpart E	After claim allowance	Any grounds for invalidity of the patent/claim(s)	- Substantive Motion/Opposition/Reply: 25/25/10 - Priority Motion/Opposition/Reply: 50/50/15 - Miscellaneous Motion/Opposition/Reply: 15/15/5	2 years	Y	Y
Derivation Proceeding	35 USC § 135	37 CFR Part 42 – Subpart E	Within 1 year of claim publication	Section 135	- Petition/POPS/POR: 14,000 words - Reply to POPS/POR: 5,600 words - Motion (excluding motion to amend)/opposition: 15 pages - Reply to opposition (excluding reply to opposition to motion to amend): 5 pages - Motion to Amend/Opposition: 25 pages - Reply to motion to Amend: 12 pages	1 year	Y	Y
<i>Inter Partes</i> Review	35 USC §§ 311-319	37 CFR Part 42 – Subpart B	Upon issuance (pre-AIA application); 9 months after issuance or after termination of PGR (AIA application); prior to 1 year from service of complaint for infringement	Patent and printed publications under section 102 or 103	- Petition/POPS/POR: 14,000 words - Reply to POPS/POR: 5,600 words - Motion (excluding motion to amend)/opposition: 15 pages - Reply to opposition (excluding reply to opposition to motion to amend): 5 pages - Motion to Amend/Opposition: 25 pages - Reply to motion to Amend: 12 pages	1 year	Y	Y
Post-Grant Review	35 USC §§ 321-329	37 CFR Part 42 – Subpart C	Within 9 months of issuance (AIA application only)	Any grounds for invalidity of the patent	- Petition, POPS/POR: 18,700 words - Reply to POPS/POR: 5,600 words - Motion (excluding motion to amend)/opposition: 15 pages - Reply to opposition (excluding reply to opposition to motion to amend): 5 pages - Motion to Amend/Opposition: 25 pages - Reply to motion to Amend: 12 pages	1 year	Y	Y

Proceeding	Statute	Rules	Timing	Issues	Word Counts/Page Limits (Effective May 2, 2016)	Duration	Discovery	Estoppel
Transitional Program for Covered Business Method Patents	AIA § 18	37 CFR Part 42 – Subpart D	Any time except during the period in which a petition for a post-grant review of the patent could be filed	Any grounds for invalidity of the patent	<ul style="list-style-type: none"> - Petition, POPS/POR: 18,700 words - Reply to POPS/POR: 5,600 words - Motion (excluding motion to amend)/opposition: 15 pages - Reply to opposition (excluding reply to opposition to motion to amend): 5 pages - Motion to Amend/Opposition: 25 pages - Reply to motion to Amend: 12 pages 	1 year	Y	Y
<i>Ex Parte</i> Reexamination	35 USC §§ 301-307	37 CFR – Chapter I – Subchapter A – Part 1 - Subpart D	After issuance	Patent and printed publications under section 102 or 103	No		N	N