

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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KEYSIGHT TECHNOLOGIES, INC.  
Petitioner,

v.

CENTRIPETAL NETWORKS, INC.,  
Patent Owner.

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IPR2022-01421  
Patent 10,681,009 B2

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Before KATHERINE K. VIDAL, *Under Secretary of Commerce for  
Intellectual Property and Director of the United States Patent and  
Trademark Office.*

ORDER  
Granting *Sua Sponte* Director Review

Keysight Technologies, Inc. (“Petitioner”) filed a Petition (Paper 2, “Pet.”) to institute an *inter partes* review of claims 1–30 (the “challenged claims”) of U.S. Patent No. 10,681,009 B2 (Ex. 1001, “the ’009 patent”). Centripetal Networks, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 7, “Prelim. Resp.”). On March 22, 2023, the Patent Trial and Appeal Board (“Board”) issued a Decision exercising its discretion to deny institution of *inter partes* review under 35 U.S.C. § 325(d). Paper 9 (“Decision”). Petitioner subsequently filed a Request for Rehearing (Paper 10) and a request for review by the Precedential Opinion Panel (“POP”) (Ex. 3001).

I have reviewed the requests, the Board’s Decision, and the relevant papers and exhibits of record in the above-listed proceeding. I determine that *sua sponte* Director Review of the Board’s Decision is appropriate. *See* Interim process for Director Review § 8 (setting forth scope of Director Review); § 10 (issues that may warrant Director Review), § 22 (providing for *sua sponte* Director Review of institution decisions in AIA proceedings and explaining that “the parties to the proceeding will be given notice” if Director Review is initiated *sua sponte*). I will issue an order or decision in due course.

In consideration of the foregoing, it is hereby:

ORDERED that *sua sponte* Director Review of the Board’s Decision is initiated; and

FURTHER ORDERED that an order or decision will issue in due course.

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