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USPTO updates Director Review process to extend the deadline for decisions instituting trial from 14 days to 30 days

June 29, 2026

Today, the USPTO has updated its process for requesting Director Review of a decision instituting trial. Under 37 C.F.R. § 42.71(d), the time period for filing a request for Director Review of a decision instituting trial is fourteen days. 37 C.F.R. § 42.75(c)(1). The Director has waived this rule and extended the deadline to thirty days. See *Light & Wonder, Inc. v. Evolution Malta Ltd.*, IPR2025-01072, Paper 30, 3 (Director June 22, 2026) (precedential). Additionally, in exceptional circumstances, the Office may further extend the deadline for filing a request for Director Review of a decision on institution, so long as the trial has not progressed meaningfully. *See id.* at 3–4 (setting forth examples of exceptional circumstances, including dismissal of all or substantially all claims in a co-pending litigation, findings of fact and conclusions of law that render all or substantially all challenged claims invalid, and a *Sotera* stipulation violation).

The Director Review process webpage reflects the update.

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