

	Reexamination	AIA Patent Review
PTO Decisionmaker	Examiners in the CRU	Patent Attorney Judges in the PTAB
Discovery options	None	Requests for admissions, interrogatories, and depositions
Timing	“Special Dispatch” with no firm time limits; decision followed by period for Board appeal	Maximum of one year from institution of trial (which may be extended only 6 more months); no Board appeal
Oral Argument option	No (not until appeal to the Board)	Yes
Motion Practice option	No	Yes
Appeals	Appeal first to the Board and then to the Federal Circuit	Appeal to the Federal Circuit (No Board appeal)
New question of patentability required?	Yes	No
Settlement option	No	Yes
Claim amendments	No limit of new claims to be added and multiple amendment options	Amendment allows for one-for-one claim substitution as the default and only one amendment of right; other amendments at discretion of PTAB
Page Limits	No	Yes
Anonymous filing option	Yes	No
Can Patent Owner initiate?	Yes	No
Timing limitation for initiation	No	Yes (PGRs must be filed within 9 months of issue of the patent and IPRs must be filed within one year of service of complaint. CBMs and IPRs filed after possible or ongoing PGR)
Lead counsel requirements	Not applicable	Lead attorney must be registered patent attorney
Litigation control features	No	Yes (they differ for PGR, IPR and CBM)
Challenger Estoppel	EPX – no; IPX – yes	Yes
Patent Owner Estoppel	No	Yes