

UNITED STATES PATENT AND TRADEMARK OFFICE

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

CRUSOE ENERGY SYSTEMS, LLC,
Petitioner,

v.

UPSTREAM DATA INC.,
Patent Owner.

PGR2023-00039
Patent 11,574,372 B2

Before COKE MORGAN STEWART, *Acting Under Secretary of
Commerce for Intellectual Property and Acting Director of the United States
Patent and Trademark Office.*

ORDER
Initiating *Sua Sponte* Director Review

On January 21, 2025, the Board issued a Final Written Decision determining that Petitioner Crusoe Energy Systems, LLC (“Petitioner”) had shown that claims 1 and 24 of U.S. Patent No. 11,574,372 B2 are unpatentable because they are directed to ineligible subject matter under 35 U.S.C. § 101. Paper 45, 57–58. The Board also found that Petitioner had not shown that claims 2–4, 7–12, 15–30, 34–37, or 40 were unpatentable under § 101, nor proven that any of the challenged claims were unpatentable based on the other grounds raised in the Petition. *See id.*

I have reviewed the Board’s Decision, the relevant papers, and the relevant exhibits of record in this proceeding. I determine that *sua sponte* Director review of the Board’s Decision is appropriate to address the Board’s determination that claims 1 and 24 are unpatentable under § 101. 37 C.F.R. § 42.75(b). An opinion will issue in due course.

Accordingly, based on the foregoing, it is

ORDERED that a *sua sponte* Director review of the Board’s Final Written Decision (Paper 45) is initiated; and

FURTHER ORDERED that an opinion will issue in due course.

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