

Patent Reexamination & Inter Partes Disputes

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With the passage of the America Invents Act in 2011 and the formation of the Patent Trial and Appeal Board (PTAB), *inter partes* patent reexamination is replaced by two *inter partes* dispute proceedings: *inter partes* review (IPR) and post-grant review (PGR). *Ex parte* patent reexaminations continue to be available for all unexpired U.S. patents. Navigating the IPR and PGR proceedings bring procedural changes that will impact strategic considerations related to attacks on the validity of patents.

Kilpatrick Townsend's Patent Reexamination & *Inter Partes* Disputes team was formed to centralize our collective experience and knowledge in patent reexamination and *inter partes* dispute proceedings. Our team is purpose-built to include attorneys with deep experience in both patent prosecution and patent litigation matters. Our team members have educational backgrounds and industrial experience in a broad range of scientific and engineering areas, meaning that we have the expertise to handle even the most complex technical matters. Our litigators are recognized for conducting focused and efficient discovery and delivering winning oral arguments, skills that will be essential in the new IPR and PGR proceedings.

Collectively, our Patent Reexamination & *Inter Partes* Disputes team has handled more than 100 patent reexamination proceedings at the U. S. Patent and Trademark Office on behalf of both patent owners and third-party requesters. Our reexamination experience, as well as our experience with European opposition proceedings and our strength in patent litigation, position us to guide clients through the challenges of the new IPR and PGR proceedings.