Post-Grant Proceedings

With significant experience in all types of post-grant proceedings, Steptoe's lawyers are well positioned to strategically advise clients as to the advantages and disadvantages of pursuing one type of review over another, including:

- For Patent Holders
  - Supplemental examinations to strengthen an existing patent

- For Patent Challengers
  - Post-grant review (PGR)
  - Inter partes review (IPR)
  - Ex parte reexamination
  - Derivation proceedings
  - Covered business methods (CBM)

Our team guides clients through the important considerations associated with each option such as the timing to file the petition, the threshold requirements to be met, the available grounds to assert invalidity, and discovery-relevant options.

Since September 2012, post-grant proceedings have been heard by the Patent Trial and Appeal Board (PTAB), and these contested proceedings have taken on features of litigation, with opportunities for limited discovery including document requests and depositions, availability of sanctions, as well as mechanisms for settlement. Representing petitioners, Steptoe boasts a particularly strong record of IPRs that have been instituted by the PTAB. Representing patent owners, we have consistently helped clients avoid institution against key claims. Our experience and skill in both patent prosecution and patent litigation empowers clients with a full service team able to handle any type of post-grant proceeding before the PTAB.

Noteworthy

News & Publications

PRESS RELEASES
Steptoe Receives 2020 China Law & Practice Firm of the Year Award in IP, Trade
October 15, 2020

PRESS RELEASES
Chris Suarez Receives 2020 Warren E. Burger Writing Prize
September 29, 2020

PRESS RELEASES
Law360 Names Vishal Gupta a Rising Star in Life Sciences
August 14, 2020

PUBLICATIONS
How to Appeal PTAB Decisions Successfully to Federal Circuit
Law360
June 23, 2020
By: John Caracappa, Matthew N. Bathon, Li Guo, Ph.D.

PRESS RELEASES
Steptoe Receives Four Practice, 13 Individual Mentions in IAM Patent 1000
June 22, 2020

PRESS RELEASES
Law360 Names John Molenda an MVP in Life Sciences
November 22, 2019

PRESS RELEASES
PTAB Bar Association Names Kate Cappaert to 'Top 50 Women in PTAB Trials' List
October 18, 2019

PUBLICATIONS
Top Five Takeaways From a Deep Dive Into Obviousness at the PTAB
IP Watchdog
March 15, 2019
By: John L. Abramic

PRESS RELEASES
Vishal Gupta Named a Leadership Council on Legal Diversity Fellow
February 22, 2019

PRESS RELEASES
Vishal Gupta Receives New York Law Journal 'Rising Star' Award
October 12, 2018