



Patent Office Litigation

The America Invents Act (AIA) substantially modified the field of patent litigation and expanded the available options for post-grant procedures. Foster Pepper patent attorneys actively represent clients in both the contemporary and traditional proceedings at the U.S. Patent Office.

We have extensive experience across all areas of patent office litigation, including:

- *Inter partes* review
- Post-grant review
- Covered business methods
- Ex parte reexamination

Our attorneys are skilled in using post-grant procedures as a means for correcting latent defects in issued patents to prepare them for superior enforcement. Members of our team served as lead counsel on behalf of the patentee in *ABB Inc. v. ROY-G-BIV Corp.*, the first-ever *inter partes* review trials to result in confirmation of all challenged claims.

Representative Work

- USPTO Control No. 95/000,161 (successful *inter partes* reexamination defense of over 400 newly filed claims before Central Reexam Unit)
- USPTO Control Nos. 90/009,282; 95/000,396; 95/000,397; 95/000,398 (successful ex parte and *inter partes* reexamination defense, without amendment, of patents directed toward aspects of motion control)
- USPTO Control Nos. 95/001,565; 95/001,566, 95/001,567; and 95/001,568 (successful *inter partes* reexamination defense of patents related to mobile video)
- EPO Post-Grant Defense of European Patent 1307131 (successful defense of validity of video laryngoscope patent before European Patent Office in post-grant proceeding)
- USPTO Control No. 90/011,308 (asserting an ex parte reexamination challenge to validity of medical device patent)