

→ Post-Grant Proceedings

Sheppard Mullin is uniquely positioned to counsel clients on how best to leverage all forms of post-grant proceedings as an element of their overall intellectual property strategy. Our Post-Grant Proceedings team is comprised of skilled patent litigators and prosecutors with deep technical backgrounds and extensive experience before the United States Patent & Trademark Office and before the Courts. Team members guide clients through complex post-grant proceedings, including traditional *ex parte* reexaminations, *inter partes* reexaminations, reissues and interferences, as well as the new *inter partes* review (IPR), post-grant review, covered business methods review, supplemental examination, and derivation proceedings established under the America Invents Act (AIA).

Our attorneys use post-grant proceedings as a means to prevent potential or threatened litigation, and in connection with offensive or defensive litigation strategies. We help patent owners and those accused of infringement navigate these complex proceedings before the USPTO to achieve our clients' business objectives.

The new AIA contested proceedings share many features with district court litigation and the prior USPTO interference and *inter partes* reexamination practices, which are being phased out. Some of the similarities include the use of technical expert witnesses, opportunities for document discovery, depositions, motion practice, and sanctions. Success in the new proceedings thus requires a sophisticated blend of USPTO and patent litigation experience. Sheppard Mullin's Post-Grant Proceedings team has deep experience in both, a rare combination today.