

## The IP Beacon April 2022

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April 13, 2022 David McCombs, Jonathan Bowser, Jeffrey Wolfson, Dina Blikshteyn, Annie Allison

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**PRACTICES** Media Entertainment and Sports, Intellectual Property, Copyright, Patents, Patent Prosecution and Counseling, Patent Litigation, Trade Secret Litigation, Trademark and Advertising, Patent Office Trials, Design Patents, Intellectual Property Litigation, AI and Deep Learning, Media and Entertainment Litigation

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### **Eugene Goryunov, David McCombs, and Jonathan Bowser in *Reuters*: ‘IPR Tricks of the Trade: Federal Circuit Clarifies Scope of IPR Estoppel’**

Patent Trial and Appeal Board post-grant validity challenges — for example, *inter partes* reviews (IPR) — are frequent components of a patent litigation strategy. However, filing an IPR petition does not come without risk.

[Read more.](#)

### **Practical Considerations About Your Russian IP**

In the wake of financial sanctions by the United States, the United Kingdom, EU nations, and various other countries against Russia for its unprovoked attack on Ukraine<sup>1</sup>, you might be considering what, if anything, to do about your patents, trademarks, utility models, industrial designs, etc., in Russia.

[Read more.](#)

### **David McCombs, Eugene Goryunov, Jonathan Bowser and Matthew Beck in *IPWatchdog*: ‘Forum Selection Clauses May Bar an IPR’**

In light of recent Federal Circuit case law, parties involved in licensing, settlement, or confidential business discussions involving patents should carefully consider the impact a forum selection clause may have on the ability to seek an IPR.

[Read more.](#)

### **Eugene Goryunov, David McCombs and Dina Blikshteyn in *Law360*: ‘After West Texas Ruling, Patenting AI Could be More Nuanced’**

In a first case of its kind, *Health Discovery Corp. v. Intel Corp.* on Dec. 27, the U.S. District Court for the Western District of Texas found claims of machine-learning patents invalid under Title 35 of the U.S. Code, Section 101, in a motion to dismiss filed under Federal Rule of Civil Procedure 12(b)(6).

[Read more.](#)

### **Lego My Jacket! Fashion Designer Sues Toy Maker Over Mini-Fig Jacket Resembling Artist's Design**

Danish toy maker LEGO received a rather harsh critique from New York-based fashion designer James Concannon, who is suing the world's largest toy company over its wardrobe selection for one of the plastic characters in the "Fab 5 Loft" LEGO set which is based on Netflix's *Queer Eye* series.

[Read more.](#)