Bowser in MLEX: Fewer Petitions to U.S. PTAB Push Big Law to Adapt, Not Retreat

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PRACTICES Intellectual Property Litigation, Patent Office Trials, Patents, Intellectual Property

With fewer petitions making it through to the U.S. Patent Trial and Appeal Board, large firms are pivoting to district court work, expanding their prelitigation counseling and relying more on alternatives such as *ex parte* re-examinations to make up the difference. Haynes Boone Partner Jon Bowser spoke with *MLEX* about this trend. Read an excerpt below.

"We have had to adapt," said Jonathan Bowser, a partner at Haynes Boone's patent practice. "We're still very heavily involved in the post [patent] grant practice, but we're pivoting in terms of using different tools."

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The structural shift illustrates why patent disputes are being fought elsewhere. One of the tools being used more is ex parte re-examinations (EPRs), Bowser said. EPR filings spiked in the last three months of 2025 when Squires started issuing more discretionary denials.

"We're doing a lot of opinion work ... and prelitigation analysis," he added. "If a client is being threatened with ... an assertion, we will investigate those patents and give them an analysis or opinion to say whether or not they should take a license, or whether or not they should just push back and fight."

Read the full article from *MLEX* here.