

Tom King in Inside Counsel: The Rise of IPR Trolls Threaten Patent Owners and Their Businesses

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Since the AIA was introduced, inter partes review (IPR) has become one of the most popular ways of challenging patent validity, as more than 2,500 IPR filings have been submitted through March 2015, according to the USPTO. However, not all IPR filings are made in good conscience and recently the “IPR troll” is on the rise.

These new form of trolls take advantage of the IPR method to challenge the validity of patents to drive down the stock price of targeted companies. The exclusivity of a patent is valuable and a challenge to a patent because a product could have significant ramifications for the patent owner.

IPR trolls can threaten companies by disrupting IPOs and potential mergers and acquisitions, as well as evoking doubt on whether a company’s patent is legally sound. Though Congress is expected to take legislation directed to patent trolls in 2017, companies should devise a defense strategy for when an IPR troll may strike.

Tom King, a partner in the Orange County office of Haynes Boone, recently sat down with Inside Counsel to discuss IPRs and effective methods for companies to handle inappropriate use of IPRs against them ...

“IPRs are a popular way to challenge patents because they are almost always faster and cheaper than district court litigation, and the outcomes are generally more favorable to patent owners,” he said.

Excerpted from Inside Counsel. To read the full article, please [click here](#).