

Tom King in Law360: Attorneys React To High Court's PTAB Claim Construction Ruling

June 21, 2016

PRACTICES Patent Office Trials, Intellectual Property

The U.S. Supreme Court Monday decided in *Cuozzo Speed Technologies LLC v. Lee* that the Patent Trial and Appeal Board can continue to use a claim construction standard to review patents in America Invents Act reviews that is different from the one used in district court. Here, attorneys tell Law360 why the decision is significant...

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“This was a good day for the Patent Office. The Supreme Court affirmed both the broadest reasonable construction standard, and the PTO’s practice of looking beyond the petition in rendering its institution decisions. The decision also essentially invites the PTO to seek review of past Federal Circuit decisions that deny the PTO the ability to issue substantive rules. All of this suggests that the balance of power in our patent system continues to swing away from Article III courts and toward the Patent Office, and that PTAB trials are here to stay.”

Excerpted from *Law360*. To read the full article, please [click here](#) (subscription required).