

King and Clark in EE Times: Patent Reviews Get Scotus Scrutiny

By David B. Clark | May 9, 2016

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The Supreme Court will soon decide *Cuozzo Speed Technologies, LLC v. Lee*, the latest in a series of major decisions that impact how patents are enforced and challenged in the United States. *Cuozzo* is significant because it marks the end of a world in which patents were relatively easy to enforce, even in far-off places.

For engineers and technology companies, *Cuozzo* reflects a modern reality of patent law—these parties can dedicate less resources to defending against the assertion of patents by non-practicing entities (a.k.a. patent trolls), but at the same time their own patents are more difficult to successfully enforce.

Cuozzo concerns a Patent Office proceeding for challenging the validity of patents called an “Inter Partes Review” (IPR). Congress created IPRs out of a concern that litigating low-quality patents was clogging up the courts, leading to unfair and difficult to overturn jury verdicts. Congress established a panel of patent judges named the Patent Trial and Appeal Board (PTAB), and gave the public the right to ask the PTAB to cancel patents. IPR proceedings commenced starting in late 2012, and to date, thousands of patents have gone through the process.

Excerpted from EE Times. Read the [full article](#) here.