



Jonathan R. Bowser

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PRACTICES Intellectual Property, Patents, Patent Litigation, Patent Office Trials, Social Media, Technology Transactions, Cloud Computing, Internet, Networking, Software, Medical Device and Technology, AI and Deep Learning, Vehicle Electrification, Streaming Media

Jonathan Bowser is a registered patent attorney focusing on patent litigation disputes before the Patent Trial and Appeal Board (PTAB) and federal district courts. Jonathan has been counsel in more than 100 AIA trials before the PTAB, representing both patent challengers and patent owners, and litigates appeals before the U.S. Court of Appeals for the Federal Circuit. He also prepares and prosecutes patent portfolios in the U.S. and abroad with a specific focus on electrical, computer, networking, and medical device technologies. Jonathan is a frequent author and presenter on post-grant issues.

QUALIFICATIONS

EDUCATION

- J.D., American University Washington College of Law, 2002
- B.A., Electrical and Computer Engineering, Lafayette College, 1999

ADMISSIONS

- District of Columbia
- U.S. Patent and Trademark Office
- Virginia

COURT ADMISSIONS

- U.S. Court of Appeals for the District of Columbia Circuit
 - U.S. Court of Appeals for the Federal Circuit
 - U.S. Court of Appeals for the Fourth Circuit
 - U.S. District Court for the Eastern District of Virginia
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PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "[Federal Circuit Restricts Attorney Fees Incurred From IPRs During District Court Patent Litigation](#)," co-author, *Reuters*, June 28, 2024.

- "[USPTO Issues Proposed Rules on Discretionary Denials in Post-Grant Trials](#)," co-author, *Reuters*, May 3, 2024.
- "[USPTO Issues Guidance on Use of AI Tools by Patent and Trademark Practitioners](#)," co-author, *The Patent Lawyer*, April 23, 2024.
- "[New Patent Office Obviousness Guidance](#)," co-author, *Reuters*, March 29, 2024.
- "[USPTO Issues Inventorship Guidance on AI-Assisted Inventions](#)," co-author, *The Patent Lawyer*, March 5, 2024.
- "[When is Corroborating Evidence for Inventor Testimony Required?](#)," co-author, *Reuters*, February 8, 2024.
- "[Patents: IPR Year in Review 2023](#)," co-author, *Reuters*, December 22, 2023.
- "Post-Grant Review Trials 2023: Interplay With District Court Litigation," presenter, Financial Poise, webinar, December 13, 2023.
- "Post-Grant Review Trials 2023: Things to Consider Before You File," presenter, Financial Poise, webinar, December 8, 2023.
- "[Section 112 Concerns in an IPR at Institution and Final Written Decision](#)," co-author, *Reuters*, November 9, 2023.
- "[White House Executive Order Expands Regulation of Artificial Intelligence](#)," co-author, *Reuters*, November 8, 2023.
- "Post-Grant Review Trials," presenter, Financial Poise, webinar, October 31, 2023.
- "Artificial Intelligence and the Impacts It Could Have on the Future of Contracts and Your Interactions with Legal," presenter, International Energy Credit Association (IECA) Annual Conference, Las Vegas, Nevada, October 19, 2023.
- "[Patent Trial and Appeal Board Program](#)," moderator, American Bar Association IP Fall Institute 2023, webinar, October 12, 2023.
- "[Federal Circuit Clarifies Scope of Permissible Reply Arguments in an IPR](#)," co-author, *Reuters*, October 4, 2023.
- "[Expanding the USPTO's Director Review Process](#)," co-author, *The Patent Lawyer*, September, 2023.
- "[IPR tricks of the trade: 2023 Revised Director Review process](#)," co-author, *Reuters*, August 18, 2023.
- "A Review of Current PTAB Initiatives with PTAB Judges," moderator, American Bar Association Annual Meeting, Denver, CO, August 3, 2023.
- "The Evolving Scope of IPR Estoppel," presenter, AIPLA Patent Litigation Committee Meeting, July 20, 2023.
- "IPR Tricks of the Trade: Evolving Standards for Stipulations to Avoid Discretionary Denial," co-author, *Reuters*, July 13, 2023.
- "US Supreme Court: The More One Claims, The More One Must Enable," co-author, *The Patent Lawyer*, June 7, 2023.
- "Ax Of 5 Patents Shows PTAB's Hard Line On Duty Of Candor," quoted, *Law360*, June 1, 2023.
- "IPR Tricks of the Trade: Don't Forget to Show Prior Art is Analogous in Obviousness Challenge to Patentability," co-author, *Reuters*, May 25, 2023.
- "Litigating in Parallel: Do's and Don'ts for Concurrent PTAB, ITC, and District Court Litigation," speaker, Patent Litigation Masters 2023, *IPWatchdog*, Ashburn, VA, May 17, 2023.
- "IPR Tricks of the Trade: Federal Circuit clarifies standard for IPR estoppel," co-author, *Reuters*, April 17, 2023.
- "IPR Tricks of the Trade: Don't Give Up, Rehearing is Possible," co-author, *Reuters*, February 28, 2023.
- "IPR Tricks of the Trade: Changes to Expect at the USPTO in 2023," co-author, *Reuters*, January 27, 2023.
- "Interplay Between Inter Partes Review and Ex Parte Reexamination, Metes and Bounds of Additional Discovery at the PTAB, and Arthrex Update," speaker, AIPLA Annual Meeting, National Harbor, MD, October 28, 2022.

- “Director Review, Panel Rehearing, and Appeals: Comparing and Contrasting Post-Decision Options,” speaker, AIPLA Annual Meeting, National Harbor, MD, October 27, 2022.
- “IPR Tricks of the Trade: Options to Obtain Review of a PTAB Decision,” co-author, *Reuters*, October 26, 2022.
- “IPR Tricks of the Trade: Director Vidal implements changes to discretionary institution policies at PTAB,” co-author, *Reuters*, September 8, 2022.
- “Section 112 Issues in IPR Proceedings: Using Section 112 as a Sword or a Shield,” speaker, Strafford webinar, June 30, 2022.
- “Recent Developments in AIA Trial Practice Before the PTAB,” presenter, AIPLA Electronic and Computer Patent Law Summit, June 15, 2022.
- “IPR Tricks of the Trade: Director Vidal Implements Changes to PTAB Review Procedures,” co-author, *Reuters*, June 15, 2022.
- “IPR Tricks of the Trade: Updates to Director Review Expected,” co-author, *Reuters*, May 4, 2022.
- “Fed. Circ. Holding Recalls the Potential for PTAB Challenges,” co-author, *Law360*, April 8, 2022.
- “IPR Tricks of the Trade: Federal Circuit clarifies scope of IPR estoppel,” co-author, *Reuters*, March 24, 2022.
- “Options for Avoiding Non-Party Estoppel Based on Prior RPI Determinations,” presenter, University of Texas Intellectual Property Law Journal Symposium, Austin, Texas, March 4, 2022.
- “Strategies for Addressing *Fintiv* Challenges Before the PTAB,” speaker, Virtual Patent Gateway webinar, February 23, 2022.
- “IPR Tricks of the Trade: Federal Circuit limits use of applicant admitted prior art,” co-author, *Reuters*, February 10, 2022.
- “IPR Tricks of the Trade: Discretionary Institution When There is Parallel ITC Investigation,” co-author, *Reuters*, January 11, 2022.
- “Article III Standing and IPR Appeals,” speaker, AIPLA PTAB Trial Committee Meeting, December 16, 2021.
- “Federal Circuit Rejects Constitutional Challenge to PTAB’s Structure,” co-author, *The Patent Law* 52-54 (Nov-Dec. 2021).
- “IPR Tricks of the Trade: The Tough Task of ‘Swearing Behind’ an Asserted Prior Art Reference,” co-author, *Reuters*, November 26, 2021.
- “IPR Tricks of the Trade: Contractual Obligations v. PTAB Trial Practice,” co-author, *Reuters*, October 7, 2021.
- “The USPTO’s New Director Review Procedure Post-*Arthrex*,” co-author, *ABA Landslide Magazine*, September/October 2021.
- “Under Discretion,” co-author, *Intellectual Property Magazine* 52-53, September 2021.
- “IPR Tricks of the Trade: Use of Stipulations to Overcome a *Fintiv* Challenge in Patent Litigation,” co-author, *Reuters*, August 2021.
- “IPR Tricks of the Trade: Director Review of Patent Decisions After ‘*Arthrex*,’” co-author, *Reuters*, July 16, 2021.
- “The Scope of Post-Grant Review Estoppel,” speaker, AIPLA PTAB Trial Committee Meeting, June 17, 2021.
- “IPR Tricks of the Trade: Not all Appeals From Patent Board are Made Equal,” co-author, *Westlaw Today*, June 15, 2021.
- “Discretionary Institution,” co-author, *Intellectual Property Magazine*, June 1, 2021.
- “Changes at the USPTO Under Former Director Andrei Iancu: A Retrospective,” co-author, *Westlaw Today*, May 24, 2021.
- “Analysing ‘Takings Clause’ challenges to PTAB reviews,” co-author, *World IP Review*, May 4, 2021.
- “Drawing the Line: Appealability of Issues in PTAB Institution Decisions,” co-author, *IP & Technology Law Journal*, Vol. 33 No. 5, May 2021.
- “Article III Standing to Appeal an IPR Final Written Decision,” speaker, AIPLA PTAB Trial Committee Meeting, April 15, 2021.

- “On Second Thoughts,” co-author, *IP Magazine*, April 2021.
- “PTAB Year in Review 2020,” presenter, AIPLA PTAB Trial Committee Meeting, February 11, 2021.
- “New Rules for Motions to Amend in AIA Trials,” presenter, AIPLA PTAB Trial Committee Meeting, January 21, 2021.
- “How Artificial Intelligence Tools Impact the Legal Practice: What every attorney needs to know,” speaker, myLawCLE Webinar, October 29, 2020.
- “Ringing the Changes,” co-author, *Intell. Prop. Mag.* 41-43 (October 2020).
- “Discretionary Denials: What Petitioners and Patent Owners Need to Know,” moderator, AIPLA PTAB Bench & Bar, August 20, 2020.
- “Brave New World: How AI Tools Are Used in the Legal Sector,” co-author, *LegalTech News*, August 12, 2020.
- “Navigating A New Realm: AI and Patent Law,” co-author, *LegalTech News*, July 16, 2020.
- “Estoppel, Forum Selection, Discretionary Denial: Where Does the PTAB Stand?,” American Bar Association - Intellectual Property Law Section and Licensing Executives Society webinar, May 27, 2020.
- “Recent Developments in Discretionary Institution,” presenter, AIPLA PTAB Trial Committee Meeting, May 21, 2020.
- “Video Oral Hearing Best Practices,” moderator, PTAB Bar Association Webinar, April 21, 2020.
- “PTAB Discretionary Institution and Parallel Petitions,” co-author, *The Patent Law* 30-32 (Mar.-Apr. 2020).
- “Navigating a New Realm: AI and Law,” presenter, Haynes and Boone LLP Patent Prosecution and Patent Trials Grp. Mtg., Chicago, IL (Apr. 21, 2020).
- “Collateral Estoppel Split,” co-author, *Intellectual Property Magazine*, 52-53, April 2020).
- “Recent Developments in Practice Before the Patent Trial and Appeal Board,” panelist, Advanced Patent Law Institute, Alexandria, VA, March 13, 2020.
- “The Impact of SAS on Review of Institution Decisions, and PTAB Estoppel Update,” presenter, AIPLA PTAB Trial Committee Meeting, February 20, 2020.
- “The Evolution of IPR Estoppel After SAS,” co-author, *The Patent Law*. 18-20, Jan-Feb. 2020.
- “Appointments Clause Challenges to Administrative Patent Judges of the U.S. Patent and Trademark Office’s Patent Trial and Appeal Board,” presenter, American Bar Association 2020 Midyear Meeting, Austin, TX, February 15, 2020.
- “Recent Developments at the PTAB,” panelist, AIPLA Annual Meeting, Washington, DC, October 25, 2019.
- “PTAB Trial Practice: New Trial Guidance, and Precedential and Informative Decisions,” webinar, Strafford, October 10, 2019.
- “New PTAB Precedential Decisions,” presenter, AIPLA PTAB Trial Committee Meeting, September 19, 2019.
- “Recent Updates to PTAB Practice: Trial Practice Guide Update and Discretionary Institution,” presenter, AIPLA PTAB Trial Committee Meeting, August 15, 2019.
- “Serial Petitions and Discretionary Denials: Pre-Institution Strategies for Petitioners and Patent Owners,” moderator, AIPLA PTAB Bench and Bar, Alexandria, VA, June 27, 2019.
- “State Sovereign Immunity in AIA Trials,” presenter, AIPLA PTAB Trial Committee Meeting, June 20, 2019.
- “Strategies at the Patent Trial and Appeal Board,” panelist, American Bar Association, Intellectual Property Law Section Annual Meeting, Arlington, VA, April 12, 2019.
- “Comprehensive Updates from PTAB Rules of Practice,” panelist, Managing Intellectual Property U.S. Patent Forum 2019, New York, NY, April 2, 2019.
- “Standard Essential Patents and Patent Pools,” moderator, Patent Administrative Law Conference, Washington, D.C., March 27, 2019.
- “Recent Updates to Motion to Amend Practice,” presenter, AIPLA PTAB Trial Committee Meeting, March 21, 2019.

- “Section 112 Issues in IPR Proceedings: Using Section 112 as a Sword or a Shield,” webinar, Strafford, February 14, 2019.
 - “Changing Claim Construction Standards at the PTAB: What You Need to Know,” webinar, AIPLA, November 29, 2018.
 - “New Claim Construction Standard at the PTAB,” webinar, American Bar Association, Intellectual Property Law Section, November 27, 2018.
 - “Adapting to the New PTAB Landscape,” webinar, PatentsPostGrant.com, October 24, 2018.
 - “PTAB Trial Route: The Article I Trial Court: Mechanics – Discovery, Motion Practice and Amendment,” faculty presenter, Practising Law Institute, New York, NY, September 24, 2018.
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PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- American Bar Association – Intellectual Property Law (ABA-IPL), Chair of the Patent Division; Past Chair of the Post-Grant and *Inter Partes* Practice Committee
 - PTAB Bar Association, Chair, Communications Committee; Editor-in-Chief of the PTAB Bar Association’s Roundup, a bi-weekly report of the most relevant and interesting cases related to PTAB, district court and ITC trial practice, and Federal Circuit appeals; Trials Committee
 - American Intellectual Property Law Association (AIPLA), Programming Chair of the PTAB Trial Committee
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AWARDS AND RECOGNITIONS

- Recognized as one of the "Top 100 Most Active Attorneys" representing petitioners in Patexia Inc.'s *PTAB Intelligence Report*, 2023
- Recognized as one of the "Top 100 Most Active Attorneys Overall" representing petitioners and patent owners in Patexia Inc.'s *PTAB Intelligence Report*, 2023
- Recognized in Patexia Inc.'s *IPR Intelligence Report*, 2022