



A brief guide to the essentials of *inter partes* reviews in real life.

In 2011, Congress passed the America Invents Act, which replaced the *inter partes* reexamination process with *inter partes* review (IPR). The IPR procedure was intended to streamline disputes by, among other things, shortening the timeline for challenging patents. Further, IPRs put a patent's fate in the hands of three administrative judges from the USPTO's Patent Trial and Appeal Board (PTAB). Many of those judges are technically trained, making them different from the average layperson on a federal jury. The U.S. Supreme Court has upheld the constitutionality of the IPR process.

Because IPR proceedings provide a faster and cheaper alternative to district court litigation, the process has become a popular means for challenging issued patent claims. This summary breaks down the IPR process and

identifies some basic strategic considerations for challengers and patent owners.

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