

[Publications](#)

July 09, 2020

Proving Up Publications as Prior Art in IPR Proceedings After Hulu



Imagine the following scenario.

A product manual contains disclosures that mirror the claims of a patent that a competitor has been using to threaten your company. The cover of the reference bears a 2010 copyright date, which is a full two years before the competitor filed its patent. If this manual is provided in an *inter partes* review (IPR) against your competitor's patent, it would need to be proven up as prior art. How do you do that?

In *Hulu, LLC v. Sound View Innovations, LLC*, the U.S. Patent and Trademark Office Patent Trial and Appeal Board offered a precedential opinion on the topic. Here we examine that decision and its implications for IPR practitioners. [Read the full publication.](#)

This article was also published in *IP Magazine* on July 09, 2020.

Authors

Explore more in

[Intellectual Property Law](#) [Patent Litigation](#)