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The Impact of The PTAB's Motion to Amend Pilot Program

Motions to amend have been part of America Invents Act trials since their inception. The U.S. Patent and Trademark Office solicited public input on the motion to amend process, which was followed by a study by the Patent Trial and Appeal Board. The study led to changes implemented in a Pilot Program that began in March 2019.

Has the Pilot Program made any difference for parties requesting or opposing claim amendments during America Invents Act trials? In this article, we draw upon original research and data analysis to examine the impact of the Pilot Program on motion to amend practice and its implications for practitioners.

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