

Real Parties in Interest: Proceed with Caution

Since the adoption of the America Invents Act and the institution of the *inter partes* review (IPR) proceeding, the question of how a real party in interest to an IPR is defined has presented challenges for petitioners and opportunities for patent owners.

In an *inter partes* review (IPR), a correct real party in interest (RPI) analysis is vital for both petitioners and patent owners. Failure to identify an RPI to a petition may result in a petition being denied institution and, if the petition is filed near the one-year bar deadline and the denial of institution comes after that deadline, the petitioner is time-barred from filing a corrected petition.

[Read the full article on World IP Review.](#) This publication is subscription based.

Authors



Amanda Tessar

Partner

ATessar@perkinscoie.com [303.291.2357](tel:303.291.2357)