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March 01, 2024

Design Patents: Why You Need Them and How to Enforce Them



Janice Ta and Andy Pettit spoke at [23rd Annual IP Symposium](#), regarding design patents.

On February 4, 2024, the Federal Circuit came together for the first time in years to sit en banc in *LKQ Corp. v. MG Glob. Tech. Operations LLC*—a case that will reshape the obviousness standard for how design patents are granted and litigated. We will discuss why design patents can still be a valuable component of any patent portfolio and provide strategies for prosecuting design patents. We will discuss strategies for maximizing total profit damages under 35 U.S.C. §289 in view of recent Federal Circuit precedent in the *Columbia v. Serious* case.

## **Authors**

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