



FINNEGAN



SURVIVING & THRIVING IN THE U.S. PATENT SYSTEM: Prosecution before the USPTO and Litigation in the PTAB, ITC, and District Courts

How can you survive and thrive in a system that is constantly evolving? What will be next? How can you plan for tomorrow and still address today? We will discuss practical considerations to those questions in the context of the U.S. patent system by examining current trends and issues at the U.S. Patent and Trademark Office and through U.S. litigation in the PTAB, ITC, and district courts.

On the prosecution side, we'll examine the USPTO's recent 101 guidance and its impact and repercussions; review current USPTO programs and discuss pros and cons of each; take a look at the law of obviousness and how to effectively overcome those rejections; and discuss how the examiner count system works and effects examination.

On the litigation front, we'll discuss the changing face of litigation by exploring recent changes in venue and damages law; how to survive a motion to dismiss when proofs are behind firewalls or factory doors; and provide an update on PTAB practice and strategy.

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