

Post-Grant Proceedings

Pioneering the way in post-grant proceedings at the Patent Trial and Appeal Board (PTAB), we represent clients as both petitioner and patent owner in post grant proceedings across a wide range of industries.

Post-Grant Proceedings (PGP) has changed the way patent litigation is conducted in the United States, and now form an integral part of many litigation strategies. Hogan Lovells understands how to effectively utilize PGPs to further our clients' goals, and we have achieved successful outcomes for both patent owners and petitioners, across a range of technology areas. From IPRs and PGRs to derivation proceedings and ex parte reexaminations, we use our prosecution and litigation experience to get results. We leverage our success before the PTAB to resolve broader patent disputes in district court, International Trade Commission litigation and beyond.

Representative experience

Represented Amgen in *inter partes* review proceeding relating to patents covering chemotherapy products. We successfully preserved a commercially valuable patent claim. Appeal pending.

Represented Leachman Cattle in the very first post-grant proceeding through to oral arguments, in which we successfully knocked out all prior art invalidity grounds.

Represented Mercedes-Benz in connection with multiple *inter partes* review proceedings, including

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Practices

Patents

International Trade
Commission Section 337

IP Litigation, Arbitration,
and Alternative Dispute
Resolution

Intellectual Property

implementing novel approaches to coordinate IPR strategy with reexamination strategy.

Represented Merck in *inter partes* review proceedings challenging the validity of the world's top selling vaccine patent; after oral argument and written decision, we invalidated 21 patent claims.

Represented Sandbox Logistics in a derivation proceeding before the USPTO to challenge a competitor's patent application. This derivation proceeding was only the seventh.

Leveraged the filing of five IPRs for Ricoh at a strategic time in corresponding district court litigation, causing patent owner Round Rock Research to settle the litigation on favorable terms for our client.

Represented Depomed in IPR proceedings before the PTAB upholding the validity of all challenged claims. This representation was one the first instances of a generic pharmaceutical company seeking IPR actions.

Achieved a stay of corresponding E.D.VA district court proceedings, followed by settlement on favorable terms for T-Mobile, after filing IPRs against all asserted patents in the early stages of the litigation.

Latest thinking and events

News

U.S. Patent Legislation: The STRONGER Patents Act of 2017

LimeGreen IP

News

US: Supreme Court Takes Up Constitutionality of Inter Partes Review

LimeGreen IP News