

Section 101 Challenges in AIA Trials at the PTAB

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Overview

- Current Snapshot of § 101 at the PTAB
- Historical Overview of USPTO Rulemaking, Policy-setting, and 101 Guidelines
- AIA Trial statistics
 - Overall filing rates
 - § 101 success rates in IPR, CBM and PGR
- Comparison to District Court § 101 Challenges
- Future Possible USPTO Rulemaking in PGR Context

Cases in which §101 Can Be Decided by PTAB

- Ex Parte Appeals in Patent Applications.
- Reexam Appeals (for new or amended claims)
- Interferences
- AIA Trials at the PTAB
 - Inter Partes Reviews (for motions to amend claims)
 - Covered Business Method Reviews
 - Post-Grant Reviews

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