

What The Fed Circ. Says About IPR Estoppel

SEPTEMBER 30, 2016

In this article published by *Law360*, [Mindy Sooter](#) and [Gregory Lantier](#) discuss precedents and questions that litigants should carefully consider as they formulate strategies for achieving their goals.

The *inter partes* review estoppel provision (35 U.S.C. § 315(e)) says that a petitioner (or real party in interest) in an IPR that results in a final written decision on a patent claim may not assert validity in a U.S. Patent and Trademark Office proceeding, a civil action, or before the U.S. International Trade Commission with respect to that claim “on any ground that the petitioner raised or reasonably could have raised during the inter partes review.” [Read the full article](#)

Authors



Mary (Mindy) V. Sooter

PARTNER

Partner-in-Charge, Denver Office

Vice Chair, Intellectual Property Litigation Practice Group

✉ mindy.sooter@wilmerhale.com

☎ +1 720 274 3164



Gregory H. Lantier

PARTNER

Chair, Western District of Texas Working Group

Co-Chair, Post-Grant Proceedings Group

✉ gregory.lantier@wilmerhale.com

☎ +1 202 663 6327