

The Impact of AIA on Biotech/Pharma Research and Development

AIA Primer from a Scientist to a Scientist
為科研者而特設的美國專利改革法案初級課程

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Presentation Objective 拋磚引玉

- **Disclaimer** – This lecture is a presentation from a scientist to a scientist and is not an legal/IPR opinion. I am a business consultant consulting on your business which can be affected by the laws. For legal advise, please seek legal assistance from your legal counsel. [set the stage for IP lawyers]
- The Leahy–Smith America Invents Act (AIA) is a US federal law that was signed into law by President Obama on 9/16/2011. The law represents the most significant change to the U.S. patent system since 1952.
- As a scientist heavily involved in the process of generating new knowledge/technology and protection of the invention in the biggest market in the world (US), you should aware of all the rules affecting your invention and business operation.

The Role of Government and Spirit of the Law

Correct, Modify, Improve for the Sake of the Country

- In September 16, 2011, President Barack Obama approved the biggest reform to the US patent system in nearly 60 years [**Leahy-Smith AIA**]. “Here, in America, our creativity has always set us apart, and in order to continue to grow our economy, we need to encourage that spirit wherever we find it,…” the president said, minutes after putting pen to paper.



Spirit of the Law
Spirit of the Government

苛政猛於虎、一個不會保護與
促進本土產業、或只會防敵而
不會興利的政府更猛於虎

- On January 14, 2013, President Obama signed **AIA Technical Corrections Act** into law - to correct and improve certain provisions of the Leahy-Smith AIA. The new Act corrects several minor errors, but also includes important changes other provisions of the Patent Act

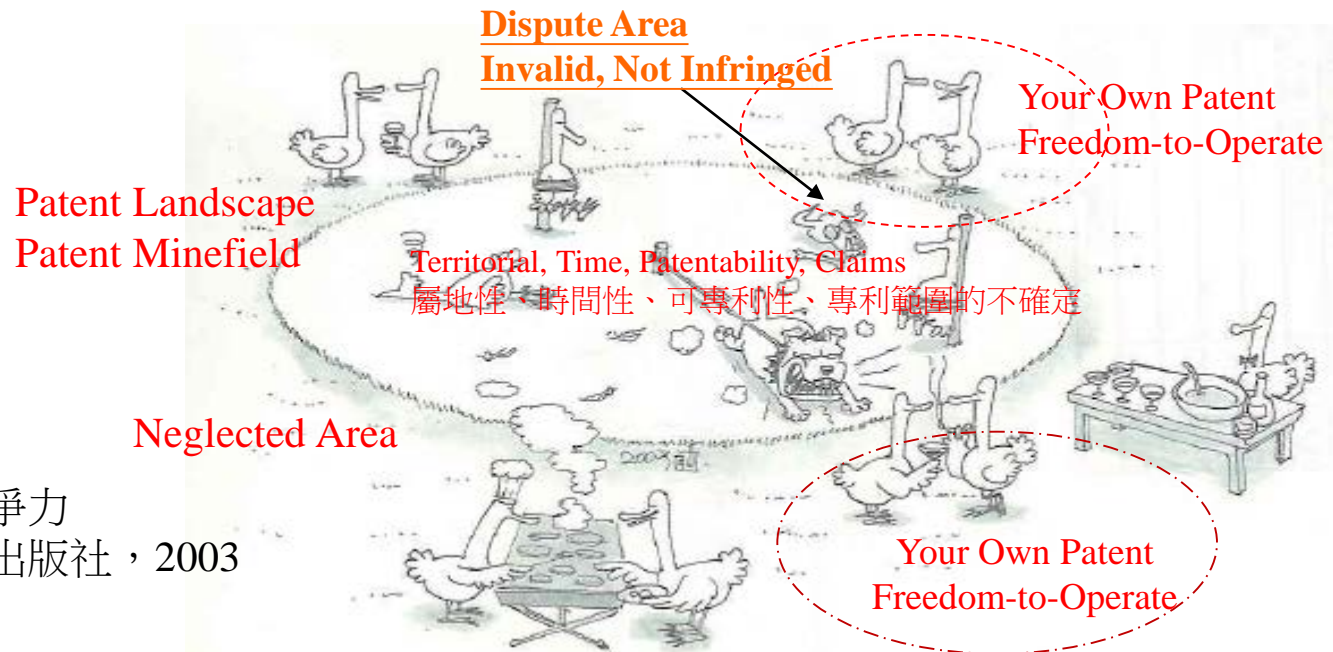
All Fundamentals Are Still the Same

Maximize The Commercial Impact and Play the World 智財/專利保護

- A patent is a “territorial granted limited time protection” by the each PTO in each country to exclude others to practice (making, using, selling, importing) your invention, in return the inventor must disclose the invention for the public good [屬地性有限期排他權]
- [IP Protection starts with patent filed 可回溯性; can only enforced after issuance but can commercialize before issuance to save source/time]

畫地為王
先佔先贏
放狗為虐
非請勿進
合縱連橫
坐地分肥

專利，就是科技競爭力
廖和信，天下遠見出版社，2003



IPRs/Patent Protection and Incentive to Encourage Innovation

- Four ways to protect you IP rights (智慧財產/知識產權)
 - ✓ Trade Secret Law 營業秘密法
 - ✓ Copyright Law 著作權法
 - ✓ **Patent Law 專利法** – Utility, Design, Plant
 - ✓ Trademark Law 商標法
 - ✓ [know-how, show-how, documentation, information, IP capital, regulatory, and many others]
- Pharmaceutical world employs all four laws + more to protect their IP [regulatory data and market exclusivity, patent mining, creative patenting, patent restoration and extension, compensation for interference, etc.] (Anti-trust, Anti-competitive, Section 337 ITC investigation, etc.)
- IP Laws vary slightly but significantly among all countries (and you should take advantage on those differences)
- As a player, you must learn how to play the game
商場如海、善習泳者勝、明規矩者贏

Legal Requirements for Utility Patent

United States Code/Title 35/Chapter 10/Section XXX

- Statutory Subject Matter (35 USC 101) 法定容許事物
- Utility (35 USC 101) 實用性
- Novelty (35 USC 102) 新穎性
- Non-obviousness (35 USC 103) 非顯而易見 創造性
[第二十二條 授予專利權的發明和實用新型，應當具備新穎性、創造性和實用性]
- Disclosure - Enablement 可使用 and Best Mode 最佳方法
(35 USC 112, 1st Paragraph in the Specification)
- Inequitable (Illegal) conduct [i.e., inventor, applicant, prior act, transfer of rights,...] (Fraud, Deceptive Intention/Conducts, **35 USC 251**)
- Pay patent fee

Background – Leahy-Smith America Invests Act (AIA) of 2011



- Most significant patent reform legislation since Patent Act of 1952
- Enacted September 16, 2011 (59 years later)
- Introduces various changes to US patent law that will have a major effect on how anyone involved doing high tech business with the US and involved with US patent filing, prosecution and/or litigation practices

Various Effective Dates of AIA

Effective Date: Immediately, 12 Months and 18 Months Later

Act Signed (September 16, 2011)

§5 - Prior User Rights (35 USC 273)

- Patent issued on or after 9/16/11

§6 - Post Grant Review

- New Inter Partes reexam standard becomes effective 9/16/11 (35 USC §312)
- Ex Parte appeals under 35 USC §145 eliminated (35 USC §306)

§11 - Fees

- 15% Surcharge (9/26/11)
- Accelerated Exam fee (9/26/11)
- Paper Filing Fee (11/15/11)

§15 - Best Mode Changes

- Suit started on or after 9/16/11

§16 - Marking

- False Marking – cases pending on or started after 9/16/11
- Virtual Marking (35 USC 273)

§19 - Jurisdiction and Procedural

- Joinder of defendants restricted (35 USC §306)

§22 - PTO Funding

One Year (September 16, 2012)

§4 - Oath or Declaration (35 USC §118)

§6 - Post Grant Review Procedures

- New Opposition - limited number first 4 years
- New Inter Partes Review - limited number - 4 years

§8 - 3rd Party Submissions (35 USC §122(c))

§12 - Supplemental Exam

§18 - Business Methods Patent Review

§35 - General Effective Date

18 Months (March 16, 2013)

§3 - First Inventor to File

- New §102 and 103 applies

The World After AIA (9/16/2011 → 3/16/2013 → Beyond)

Idea/Tech/R&D → IP (Creation/Protection/Management/Utilization)

Ex Parte Reexamination (EPRx), Inter-Partes Review (IPR),
Post Grant Review (PGR), Covered Business Method(CBM)

**Application Procedure
Changes**

申請程序變革

**Post-Grant Review
Procedure Changes**

領證後再審
程序變革

Supplemental Examination, Reissue Procedure

R/D

FITF, Expanded
Prior Art, Effective
Filing Date
Determination

Claim Amendment

**Examination
Procedure Changes**

審查程序變革

Preissuance
Submission
(PIS) by 3rd
Party

**Patent
Infringement
Litigation Changes**

訴訟程序變革

SHIELD, Joinder of Parties

Goals of US Patent Reform → AIA

David Kappos, Former Under Secretary of Commerce for IP and Director of the USPTO, 2012



- National patent laws are generally stuck in the last century
- Global markets require global patent protection
- The world needs a 21st century patent system
- Encourage innovation and job creation
- Support USPTO's efforts to improve patent quality and reduce backlog
- Establish secure funding mechanism
- Provide greater clarity around patent rights
- Provide less costly, time-limited administrative alternatives to litigation

The Impact of AIA – Pre-Application

First-to-Invent → First-Inventor-to-File (Effective Date 3-16-2013)

- First-to-Invent (FTI) → First-Inventor-to-File (FITF) [effective 3-16-2013]
- Who is the “First-Inventor-to-File (FITF)(發明人先申請主義)”?
- What is “Effective Filing Date (EFD)(有效申請日的認定)”?
 - ✓ “Effective filing date” of claimed invention is either:
 - (i) The actual non-provisional filing date, or international application designating the US (benefit under 35 U.S.C. 120,121, or 365(c));
 - Date of priority claim (ii) in the provisional application (benefit under 35 U.S.C. 119(e)); or (iii) a foreign application (priority under 35 U.S.C. 119(a)-(d) or 365(a) or (b))
 - Which ever is earlier (申請之實際提交日或所主張之優先權日)
 - ✓ (ii) If at least one claim has EFD after 3/16/2013, then new law applies to all claims
 - ✓ If new law applies to parent application, then new law also applies to all continuations/divisionals

The Impact of AIA – Pre-Application

First-to-Invent → First-Inventor-to-File (Effective Date 3-16-2013)

- Who is the “First-Inventor-to-File (FITF)” [and What’s “EFD”]?
 - ✓ Under the old system, the patent on an invention was awarded to the first person to invent the subject matter. A patent interference is an administrative procedure to determine who invented first.
 - ✓ Under the new system, invents first loses out to the second-in-time inventor who wins the race of filing (extremely important to move rapidly from conception of the invention to filing a patent application)
[Derivation Proceedings replace old Interference Proceeding]
 - ✓ **AIA Changes the Way We Use Provisional Applications** - Filing of a cover page provisional application (brief description of the invention and any data or publication draft that was available) will NOT result in receipt of an early filing date for priority purposes. If a cover page provisional is filed and 12 months later a PCT is filed, the first or provisional year will be lost. [Needs complete disclosure of the entire invention in provisional application]

The Impact of AIA – Pre-Application

First-to-Invent → First-Inventor-to-File (Effective Date 3-16-2013)

- What is “Prior Art (先前技術)”? [New AIA 35 USC 102 (a) replaces Old 35 USC 102 (a)-(g)]

“§ 102. Conditions for patentability; novelty

“(a) NOVELTY; PRIOR ART.—A person shall be entitled to a patent unless—

“(1) the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention; or

“(2) the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention.

Obvious determination (35 USC 102.193):

Old system determined at time of invention → New system determined as time of EFD

The Impact of AIA – Pre-Application

First-to-Invent → First-Inventor-to-File (Effective Date 3-16-2013)

- What is “Prior Art”? [New AIA 35 USC 102 (a) replaces Old 35 USC 102 (a)-(g)]
 - ✓ Under §102(a)(1):
 - Patent, printed publication, public use, on sale, or “otherwise available to the public” before effective filing date of the invention **anywhere in the world** [**Implication**: more extensive patent/literature search/Analysis]
 - Current law limits prior art to “known or used” in the U.S. or “in public use or on sale” in the U.S.
 - **Implication** – Inventor A’s public use (anywhere in the world) is prior art to Application B under 102(a)(1) – [Public use before effective filing date of Application B] [but Inventor A’s public use is not prior art of Inventor A if file within the **Inventor Grace Period** 寬限期]
 - ✓ Under §102(a)(2): Issued patent, published US patent publication, PCT application designating the US, with earlier “effective filing date” and names different inventive entity

The Impact of AIA – Pre-Application

First-to-Invent → First-Inventor-to-File (Effective Date 3-16-2013)

- What is “Prior Art”? [New AIA 35 USC 102 (a) replaces Old 35 USC 102 (a)-(g)]
 - ✓ Exception to §102(a)(1): Disclosure by inventor (or by another who obtained invention from inventor) is **not** prior art **if** 1 year or less before effective filing date of the inventor [Inventor Grace Period]
 - ✓ Exception to §102(b)(1)(B): Disclosure by another is not prior art if inventor (or someone who obtained invention from inventor) disclosed first and 1 year or less before effective filing date
 - Inventor’s disclosure protects like a filing date – it is both a sword and a shield
 - Based on legislative history, “disclosure” should include patents, printed publications, public use, on sale, or otherwise available to the public
 - ✓ **Implication** – Inventor should strategically disclose as quickly as possible to set up as prior art for competitors even if they file first, and established the effective filing date with proper filing later

The Impact of AIA – Pre-Application

First-to-Invent → First-Inventor-to-File (Effective Date 3-16-2013)

- What is “Prior Art”? [New AIA 35 USC 102 (a) replaces Old 35 USC 102 (a)-(g)]
 - ✓ Exception to §102(a)(2): Disclosure in earlier US Patent or Patent Publication by someone who obtained invention from inventor is **not** prior art [Represents inventor’s own work-102(b)(2)(A)]
 - ✓ Disclosure in earlier filed US Patent or Patent Publication by another is **not** prior art if inventor (or someone who obtained invention from inventor) publicly disclosed first - §102(b)(2)(B)
 - ✓ Disclosure in US Patent or Patent Publication that is **commonly owned** on or before the effective filing date of invention is **not** prior art - §102(b)(2)(C)
 - ✓ Disclosure in US patent or US patent publication subject to a **joint research agreement** in effect on or before the effective filing date of invention is **not** prior art - §102(c)
 - ✓ Common ownership and joint research agreement overcome both §102 and §103 rejections under the new law (unlike current law)
 - ✓ Implication: Relationship with Collaborators (proof of invention and records)

The Impact of AIA - Pre-Issuance Submissions (PIS) by 3rd Party 發証前第三者可提呈送件

- Pre-Issuance Submissions [35 U.S.C. § 122 (Effective Date Sept. 16, 2012)]
 - ✓ Applies to any patent application
 - ✓ 35 U.S.C. 122(e) provides a mechanism for third parties to submit patents, published patent applications, or other printed publications of potential relevance to the examination of a patent application with a concise description of the asserted relevance of each document submitted. Such submissions may be made before:
 - (1) the later of (i) 6 months after the date of publication or (ii) the date of a first Office action on the merits rejecting any claims, or
 - (2) before the date of a notice of allowance, if earlier
 - ✓ Fees as the Director may prescribe
 - ✓ **Implication:** Challenge and invalidate competitor's patent as early as possible. For your own patent - be prepared to be challenged by others including your competitors (patent landscape monitoring are important)

The Impact of AIA – Post Grant Proceedings 領證後再審程序變革

● Old post-grant proceedings:

- ✓ Interference §§ 135, 291 [replaced by derivation]
- ✓ Reissue 再發證 procedure §§ 251-252 [remains available under AIA]
- ✓ Ex parte Reexamination 單方複審 §§ 301-307 [remains available under AIA]
- ✓ Inter partes Reexamination §§ 311-318 [replaced by Inter partes review]

● New post-grant proceedings:

- ✓ Derivation, novelty (replaces interference) §135 [effective 3/16/2013]
- ✓ Supplemental examination 補充審查 § 257 [effective 9/16/2012]
- ✓ Inter partes review 多方複審 (replaces inter partes reexamination) §§ 311-319 [effective 9/16/2012]
- ✓ Post-grant review 核准後複審 (opposition) §§ 321-329 [effective 9/16/2012]
- ✓ Business method opposition 商業方法複審 Act § 18 [effective 9/16/2012]

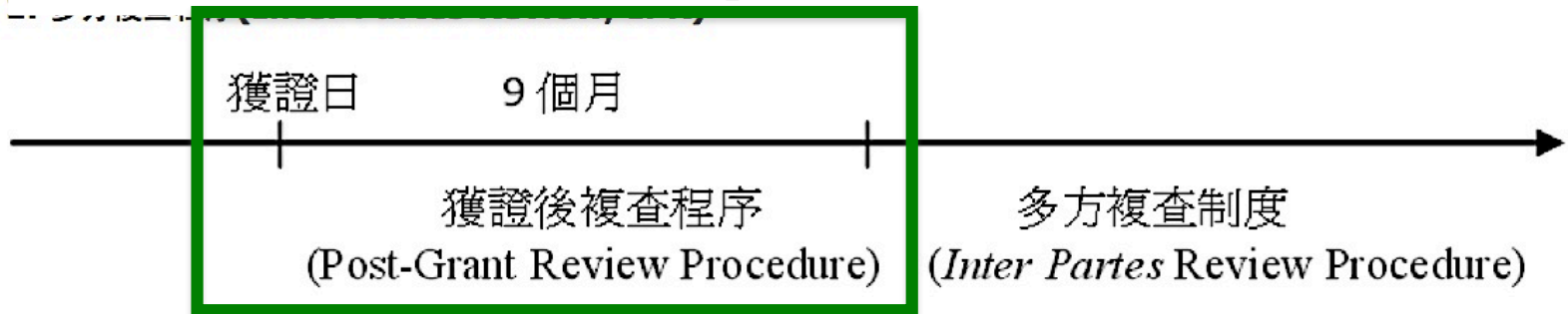
The Impact of AIA – Post Grant Proceedings

領證後再審程序變革 - USPTO 專利審查機制變革

2011 年專利法修正前		2011 年專利法修正後
專利訴願暨爭議委員會 (Board of Patent Appeals and Interferences, BPAI)	→	專利審判暨上訴委員會 (Patent Trial and Appeal Board, PTAB)
單方複審制度 (<i>Ex Parte</i> Reexamination)	不變 →	單方複審制度 (<i>Ex Parte</i> Reexamination) EPRx
多方複審制度 (<i>Inter Partes</i> Reexamination)	實質修正 →	多方複查程序 (<i>Inter Partes</i> Review Procedure) IPR
	新增 →	獲證後複審程序 (Post-Grant Review Procedure)

Supplemental Review 補充審查
Reissue procedure 再發證

PGR



Comparison of Proceedings under the Leahy-Smith AIA:

Derivation Proceedings v. Post-Grant Review v. Inter-Partes Review v. Supplement Examination

Encourage early challenge, lower challenging barrier, earlier decision to eliminate uncertainty, replace much more expensive litigation procedure later

Derivation Proceedings	Post-Grant Review	Inter Partes Review	Supplemental Examination
Forum: <ul style="list-style-type: none"> Patent Trial and Appeal Board (later applicant v. earlier applicant) or District Court (patentee v. patentee) 	Forum: <ul style="list-style-type: none"> 3+ member panel at the Patent Trial and Appeal Board 	Forum: <ul style="list-style-type: none"> 3+ member panel at the Patent Trial and Appeal Board 	Forum: <ul style="list-style-type: none"> PTO
Scope: <ul style="list-style-type: none"> Challenge priority of first filer because derived from actual inventor 	Scope: <ul style="list-style-type: none"> Cancel claims based on 101, 102, 103, 112 (but not Best Mode) 	Scope: <ul style="list-style-type: none"> Cancel claims based on 102, 103 	Scope: <ul style="list-style-type: none"> Consider, reconsider, or correct information believed to be relevant to an issued patent
Supporting evidence allowed: <ul style="list-style-type: none"> PTAB Showing : Application was derived from actual inventor and filed without authorization DC Showing: Patent derived from actual inventor 	Supporting evidence allowed: <ul style="list-style-type: none"> Patents, printed publications Expert opinions, affidavits, declarations 	Supporting evidence allowed: <ul style="list-style-type: none"> Patents, printed publications Expert opinions, affidavits, declarations 	Supporting evidence allowed: <ul style="list-style-type: none"> "Information believed to be relevant to the patent"
Threshold: <ul style="list-style-type: none"> PTAB "sufficient evidence" DC civil action 	Threshold: <ul style="list-style-type: none"> "More likely than not" at least one claim unpatentable OR Novel or unsettled legal question 	Threshold: <ul style="list-style-type: none"> "Reasonable likelihood" petitioner will prevail on least one challenged claim 	Threshold: <ul style="list-style-type: none"> None
Procedural highlights: <ul style="list-style-type: none"> PTAB final decision <ul style="list-style-type: none"> Patent: cancellation of claims Application : final refusal of claims DC final decision "relief" 	Procedural highlights: <ul style="list-style-type: none"> Patent owner can cancel or propose substitute claims at least once Claims cannot be broadened Final determination within 12 months if "good cause" Discovery for "relevant evidence" 	Procedural highlights: <ul style="list-style-type: none"> Patent owner can cancel or propose substitute claims at least once Claims cannot be broadened Final determination within 12 months, up to 18 months if "good cause" Discovery for deposition of witnesses submitting affidavits or declarations and in "interest of justice" 	Procedural highlights: <ul style="list-style-type: none"> Removes that information from serving as basis for unenforceability of patent If patent office determines that the information raises a substantial new question of patentability, a reexamination of the patent will be ordered

Comparison of Proceedings under the Leahy-Smith AIA:

Derivation Proceedings v.
Post-Grant Review v.
Inter-Partes Review v.
Supplement Examination

Derivation Proceedings	Post-Grant Review	Inter Partes Review	Supplemental Examination
<p>Timing:</p> <ul style="list-style-type: none"> • PTAB: Within 1-year of publication of the later filer's application • DC: Within 1 year of issuance of earlier filer's patent • DC statute of limitations <ul style="list-style-type: none"> ◦ 10 yrs after the misconduct basis of the proceeding ◦ 1 yr after notice to PTO of same 	<p>Timing:</p> <ul style="list-style-type: none"> • Within 9 months of issue/reissue 	<p>Timing:</p> <ul style="list-style-type: none"> • Within 9 months of issue/reissue OR • After termination of post-grant review <p>and</p> <ul style="list-style-type: none"> • Within 1 year of commencement of litigation by patent owner 	<p>Timing:</p> <ul style="list-style-type: none"> • Cannot prevent information from serving as a basis of I/C finding if: <ul style="list-style-type: none"> ◦ I/C was plead earlier in a civil proceeding; <p>or</p> <ul style="list-style-type: none"> ◦ I/C plead as a defense in an enforcement action started before the SE was completed
	<p>Estoppel: "raised or reasonably could have raised"</p> <ul style="list-style-type: none"> • Applies to any <u>claim</u> challenged • PTO, ITC, civil actions • Cautionary note: because all grounds of invalidity are available, estoppel is broader 	<p>Estoppel: "raised or reasonably could have raised"</p> <ul style="list-style-type: none"> • Applies to any <u>claim</u> challenged • PTO, ITC, civil actions 	
Appeal: directly to Federal Circuit	Appeal: directly to Federal Circuit	Appeal: directly to Federal Circuit	
Initiated by: third parties	Initiated by: third parties who have not previously challenged the patent in civil action	Initiated by: third parties who have not previously challenged the patent in civil action	Initiated by: patentee
Effective date: March 16, 2013	Effective date: September 16, 2012	Effective date: September 16, 2012	Effective date: September 16, 2012
Applies to: <ul style="list-style-type: none"> • "first-to-file" applications and patents 	Applies to: <ul style="list-style-type: none"> • Pending interferences • Business method patents in litigation • "first-to-file" patents 	Applies to: <ul style="list-style-type: none"> • All patents 	Applies to: <ul style="list-style-type: none"> • All patents

The Impact of AIA – Post Grant Proceedings

領證後再審程序變革

- Claims Amendment, Supplemental Examination, Reissue Procedure – to correct or strengthen your patent and further confirm validity
 - ✓ During the prosecution of a patent application or during a reexamination or reissue proceeding, an applicant has a right to amend claims prior to a final Office action. Once an amendment is made, the burden then falls on the Examiner to show that the amended claims are unpatentable. In doing so, the Examiner undertakes a further prior art search, taking into account the added limitations [these are different in an IPR, PGR, or CBM proceeding].
 - ✓ Patent owner in an IPR, PGR, or CBM proceeding only may “move” to amend the claims. The patent owner bears the burden to show that the proposed substitute claims are patentable. The Board conducts no prior art search and performs no examination. Instead, the Board’s grant of a motion to amend operates to add the proposed substitute claims directly to an issued patent. A patent owner should, with respect to each claim feature added, discuss what it knows what was previously known about the feature and about the level of ordinary skill in the art.

AIA - Patent Infringement Litigation Changes 訴訟程序變革

- Joinder of Parties 共同被告
 - ✓ 參與「同一交易，同一事件，或者同一系列交易或同一系列事件」的侵權行為，具有共同的被訴特徵，方可以合併多個侵權人
- The Saving High-tech Innovators from Egregious Legal Disputes, SHIELD 保護高科技創新者免於嚴苛法律爭訟法
 - ✓ 非實施專利體(Non-Practicing Entity)據其專利所提起的專利訴訟，於其敗訴時，要為勝訴方負擔其律師費用的轉移
- The Impact of Joinder of Parties and SHIELD 前述改革之具體影響
 - ✓ 專利所有權透明化; 訴訟成本的轉嫁; 遏止專利濫訟（針對專利蟑螂）; 考慮不同的法院地區、訴訟費用、每次控告只能針對一項產品的侵權，因此訴訟的次數與成本會相對增加

The Impact of AIA - Others



- Fees

- ✓ Director Sets Fees (Section 10)
 - General Power to set fees
 - New Procedures Provide for the Director to Set Fees
 - Fees may determine degree of use
 - Fees reasonably related to services provided
 - Surcharge of 15%
 - Prioritized Examination Fee - \$4800
 - Electronic Filing Incentive - \$400 if paper
 - Reduced Fees:
 - Small Entity – 50%
 - Micro Entity – 75% (includes universities or higher learning institutions)

Impact of Key Provisions of the AIA and What it Means to You



- AIA Encourages:
 - ✓ Better science/technology
 - ✓ Better and more extensive prior art search and analysis
 - ✓ Better patent filing/maintenance/management strategy, earlier disclosure/filing, earlier patent challenge including earlier reexamination and post grant review (survival patent will be more difficult to challenge or invalidate), better defense in patent litigation at a later time
- What it means to you
 - ✓ Concentrate on better core science/technology, more extensive and better prior art search/analysis at an earlier stage of research
 - ✓ Better filing using local/international treaties - preserve priority date
 - ✓ Higher quality/value patent + biz strategy = realize value of patent

Impact of Key AIA Provisions on You and Your Strategy Towards Your Competitors

- Strategic disclosure, earlier filing, proper use of provisional filing and grace period (also take advantage of international treaties such as Paris convention, PCT and other treaties)
- Closely monitoring patent activity in regard to competitor's patent application and take advantage of early challenge procedures (EPRx, IPR, PGR, etc.)
- Strengthen your own patent by Supplemental Examination and Reissue procedure to reconfirm patent validity
- Be aware of the impact of AIA Jointer of parties and ongoing anti-troll legislation such as SHIELD (保護高科技創新者免於嚴苛法律爭訟法 - 無法一次控告多個疑似侵權者，關係到更多的訴訟成本考量與各別案件屬性)

Summary

- **R&D/Application Procedure Changes 申請程序變革**
 - ✓ 專利申請 (filing) 的動作必須加快, 發明揭露政策 (disclosure policy) 的改變, 檢索政策 (search policy) 的改變, 善用臨時專利申請 (Provisional Application), 善用各種專利申請管道(國際專利合作條約、專利法條約等)
- **Examination Procedure Changes 審查程序變革; Post-Grant Review Procedure Changes 領證後再審程序變革**
 - ✓ 在「審查程序變革」與「領證後再審程序變革」, 建議可以善用多方複審 (IPR)與核准後複審(PGR)程序, 有效對付競爭者(competitors)及非專利實施實體(NPE), 善用Supplemental examination, Reissue procedure,...
- **Patent Infringement Litigation Changes 訴訟程序變革**
 - ✓ 在「訴訟程序變革」上, 建議產業的專利管理人應有所認知, 尤其新法案於訴訟程序改變會造成非專利實施實體(NPE)訴訟成本增加, 可降低企業受NPE的困擾