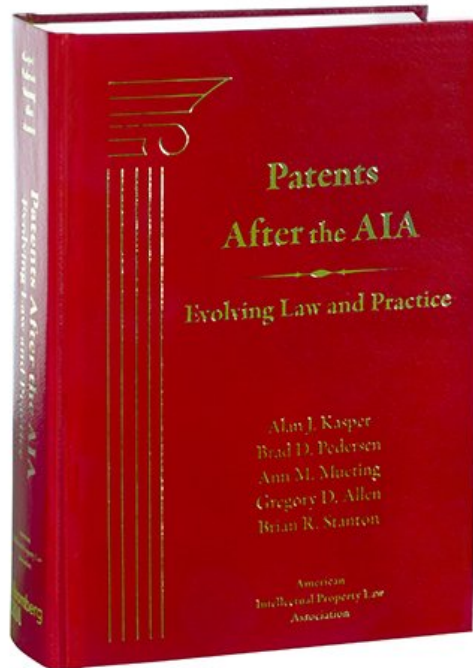


## Patents After the AIA: Evolving Law and Practice

*Alan J. Kasper, Brad D. Pedersen, Ann M. Mueting, Gregory D. Allen, Brian R. Stanton*

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**Alan J. Kasper, Brad D. Pedersen, Ann M. Mueting, Gregory D. Allen, Brian R. Stanton : Patents After the AIA: Evolving Law and Practice** before purchasing it in order to gage whether or not it would be worth my time, and all praised Patents After the AIA: Evolving Law and Practice:

AN INNOVATIVE TREATISE on tactical and strategic patent decisions for today s patent professionals. This comprehensive treatise provides a self-contained, single volume desk-reference and guide to tactical and strategic patenting decisions for patent professionals after the most comprehensive revision to U.S. patent law since 1952, the America Invents Act (AIA). The AIA fundamentally altered U.S. patent law by transitioning from a First-to-Invent to a First-Inventor-to-File patent system. The pragmatic style of Patents After the AIA: Evolving Law and Practice provides insights and advice for patent application preparation and filing, post-issuance review and challenges to patentability, and ongoing international patent law harmonization. It also provides historical and legislative discussions and practical foundational discourses. Patents After the AIA: Evolving Law and Practice includes the following unique content: More than 350 Practice Tips to highlight key points and serve as warnings and guideposts to the patent professional More than 100 original graphical timeline scenarios provides a myriad of different fact patterns analyzed under the AIA and compared to pre-AIA outcomes In-depth analysis and policy discussions explain complex changes to the law A glossary of more than 400 terms and phrases with concise definitions and descriptions, which

enhances the precision and consistency of patent law discussions regarding the intent, implementation, and impact of the AIA, addresses the existing lack of clear terms and phrases that capture the fundamental changes to U.S. patent law encompassed by the AIA. Thousands of footnotes provide support for the treatise and serve as easy references for the reader to find the source materials discussed, including U.S. patent-related statutes, legislation, case law, and U.S. Patent and Trademark Office (USPTO) practice guidance (e.g., guidelines, regulations, and policies), giving the patent professional direct reference to the statutory, judicial, regulatory, and policy standards relevant to the issues which patent professionals encounter on a day-to-day basis. Key documents are provided in an online appendix. Each chapter includes descriptive titles and headings reflecting information content. This organization helps readers readily access specific topics within a chapter to access issues of immediate interest. Extensive cross-references are provided to related sections of the treatise that provide greater depth of discussion.

Book by David J. Kappos: *Patents After the AIA: Evolving Law and Practice* (Alan J. Kasper, Brad D. Pedersen, Ann M. Mueting, Gregory D. Allen and Brian R. Stanton), published by the American Intellectual Property Law Association (AIPLA) and Bloomberg BNA, 2016. *Patents After the AIA: Evolving Law and Practice*, a collaborative effort by Alan J. Kasper, Brad D. Pedersen, Ann M. Mueting, Gregory D. Allen and Brian R. Stanton, is an essential resource for, among others, patent applicants and patent owners, intellectual property scholars, and intellectual property practitioners, including patent prosecutors, litigators, and transactional attorneys. Delving deeply into the Leahy-Smith America Invents Act of 2011 (AIA), the most comprehensive revision to U.S. patent law since 1952, the treatise provides an all-in exploration of the AIA, including its historical context, legislative history, and regulatory framework. The treatise explains prior art, grace period, and exceptions both globally and practically. Patent filing details and mechanics are covered, providing a roadmap for patent applicants. Challenges to patentability and post-issuance review are discussed in detail. Transitional considerations for, and practical considerations after, the AIA are addressed as is the critical matter of global harmonization. As the world of patent law has become more complex and continues to evolve, it is important to have a comprehensive, up-to-date resource for those in the patent field. The authors present a thorough, comprehensible encyclopedia covering the U.S. patent world, post-AIA. The final chapter of the treatise points readers to an optimistic future that foreshadows significant confluence of best practices in the near future. The treatise presents both practical and strategic advice regarding the preparation, prosecution, evaluation, enforcement, and litigation of U.S. utility patents after the passage of the AIA and effectively conveys the material in a well-organized fashion. Detailed coverage of U.S. patent law, including pre-AIA context and associated rules and guidelines, are incorporated. Particularly impressive are the Practical Tips the authors include in highlighted areas on many pages. Numerous graphs, tables, and pictorial illustrations assist readers' comprehension of the material. Each chapter begins with a highly detailed Table of Contents, subdivided for ease of use. The authors write clearly and include helpful cross-references to case law, USPTO practice matters, legislation, and primary and secondary sources. The targeted audience will appreciate all aspects of this 1900+ page treatise. Some readers may read the entire treatise if time allows and will gain a thorough education of patents in the post-AIA world. Other practitioners, students, and scholars now have available a highly organized reference book affording easy access to targeted issues in the patent arena. --David J. Kappos, Partner at Cravath, Swaine Moore LLP in New York, NY

About the Author Alan J. Kasper is a senior partner in the international intellectual property (IP) law firm Sughrue Mion, PLLC, with offices in Washington DC, California, and Tokyo, where he has practiced law since 1985 and managed the firm's International Department. Alan's practice focuses on patent matters and consists primarily of prosecution, litigation, licensing, opinions (including serving as an independent evaluator for standards groups) and counseling on patent strategies for a wide variety of clients in the advanced electrical, optical, semiconductor, computer-based and mechanical technologies. Brad D. Pedersen is a patent attorney with nearly 30 years of experience in patent law, engineering, business and entrepreneurship. He is a partner and the chair of the patent practice group at Patterson Thunten Pedersen, P.A., an intellectual property law firm in Minneapolis, Minnesota. Brad concentrates his practice in the areas of post-issuance review proceedings, high-technology, computer, software and medical device patent prosecution strategy, licensing and litigation. Ann M. Mueting, Ph.D., J.D., is a founding shareholder of the firm Mueting, Raasch Gebhardt, in Minneapolis, MN, which began in 1995 and represents Fortune-500 companies, biomedical firms, universities, various mid-size and start-up companies, as well as individual entrepreneurs. Ann is a patent attorney practicing in the areas of patent prosecution, due diligence, and related opinion work with emphasis in Chemical and Biotechnology Patent Law. Gregory D. Allen is an Assistant Chief Intellectual Property Attorney at 3M Innovative Properties Company, a subsidiary of 3M Company (3M), St. Paul, MN. Greg joined 3M as an Advanced Product Development Engineer in 1985, before joining 3M's Legal Department in 1989. His practice focuses on patent matters, including prosecution and opinions primarily in the chemical area, as well as Intellectual Property (IP) agreements, including licensing, joint development, and Government RD contracts. Brian R. Stanton, Ph.D., works on IP, trade, and associated technology innovation policy matters. A principal in Stanton Consulting Services, Dr. Stanton was the Director of the Division of Policy at the National Institutes of Health's (NIH) Office of Technology Transfer and was responsible for IP and technology

transfer policy for the U.S. Public Health Service (NIH, FDA, and CDC) until 2006. His prior appointment at the US Patent and Trademark Office included efforts in establishing IP standards for bioinformatics, transgenic animals, and genomics. The AIPLA, founded in 1897, is a national bar association constituted primarily of lawyers in private and corporate practice, in government service, and in the academic community. It represents a wide and diverse spectrum of individuals, companies, and institutions involved directly or indirectly in the practice of patent, trademark, copyright, trade secret, and unfair competition law, as well as other fields of law affecting intellectual property. Its members represent both owners and users of intellectual property.