

Award-Winning PTAB Team Publishes 2023 PTAB Year in Review: Analysis & Trends Report

Washington, D.C. (February 8, 2024) – Sterne, Kessler, Goldstein & Fox is proud to announce the publication of the *2023 PTAB Year in Review: Analysis & Trends*. The editors are: Directors [Richard M. Bembem](#), [Jason A. Fitzsimmons](#), and Jon E. Wright (retired), and Counsel [Jennifer Meyer Chagnon](#). The publication synthesizes key events and decisions that occurred last year at the USPTO's Patent Trial and Appeal Board (PTAB) and provides detailed analysis to serve as a helpful reference for those who practice before or adjacent to the PTAB.

The first half of the publication provides in-depth analysis of discretionary denial of IPR and PGR petitions, including a summary of the new Director Review procedures available to parties dissatisfied with institution decisions or final written decisions. The authors also examine key precedential Board decisions, decisions coming out of the Director Review process, and key PTAB statistics from 2023.

The second half of the report covers the latest developments in statutory estoppels, key Federal Circuit decisions impacting Board procedure, and developments in *ex parte* reexamination practice as a complement to AIA challenges. Further, the report revisits and updates Sterne Kessler's 2021 analysis of the intersection between post grant proceedings and standard essential patents (SEPs).

The articles are authored by the editors and by fellow Sterne Kessler colleagues: Directors, [Kristina Caggiano Kelly](#), [Richard A. Crudo](#), [Jason D. Eisenberg](#), and [Ryan C. Richardson](#); Counsel [Jessica Harrison](#); and Associates [Andrew Z. Barnett](#), [John D. Higgins](#), and [Joseph K. Venier](#), with statistics and analytical support from Patrick Murray.

The publication, *2023 PTAB Year in Review: Analysis & Trends*, is available in its entirety in both HTML and PDF formats and as individual articles on the firm's [website](#). An on-demand webinar featuring the editors of the report is available [here](#).

This publication is the third in Sterne Kessler's series of four 2023 year-in-review reports and webinars. The firm's *Federal Circuit Appeals from the PTAB: Summaries of Key 2023 Decisions* is posted [here](#); *2023 Design Patents Year in Review: Analysis and Trends* is available [here](#); and a report on notable *2023 Cases at the U.S. International Trade Commission (ITC)* and the related webinar will be available at the end of the month.

Post-Grant Proceedings at Sterne Kessler

Sterne Kessler has industry-leading experience in all proceedings before the PTAB and the Central Reexamination Unit (CRU), including *inter partes* review (IPR), post grant review (PGR), covered business methods reviews (CBM), reexamination, derivation proceedings, and interferences. As the first "PTAB Firm of the Year" — the firm literally wrote [the book](#) on PTAB litigation. Most recently, Sterne Kessler was named [Post-Grant Firm of the Year](#) for the United States at the 2023 Global IP Awards by leading intellectual property publications *Intellectual Asset Management* and *World Trademark Review*. The firm and many individual attorneys also received top rankings in the Patexia [2023 PTAB Intelligence Report](#), and the firm is ranked a top tier firm for PTAB litigation in [Managing IP's 2023 IP Stars guide](#).

About Sterne, Kessler, Goldstein & Fox

Based in Washington, D.C. and renowned for more than four decades for dedication to the protection, transfer, and enforcement of intellectual property rights, Sterne, Kessler, Goldstein &

Fox is one of the most highly regarded intellectual property specialty law firms in the world. Its team of attorneys, registered patent agents, technical specialists, and law clerks include some of the country's most respected practitioners of IP law tackling innovations across a broad spectrum of industries. The firm's practitioners hold over 50 masters and over 60 doctorate degrees in science or engineering and represent Fortune 500 companies, entrepreneurs, start-ups, inventors, venture capital firms, and universities in a client service driven environment that is welcoming, inclusive, and intellectually stimulating. Visit the firm online at sternekessler.com.

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