

Three takeaways from Intel's PTAB win

Managing IP

05.24.2023

On May 12, 2023, the Patent Trial and Appeal Board (PTAB) cancelled non-practicing entity VLSI Technology LLC's patent related to a method of managing clock speed in an electronic device. Through commentary from PTAB lawyers, funders, general counsel at Unified Patents and non-practicing entity IPValue, *Managing IP* casted insight into PTAB procedural controversies, the benefits of enforcing patent portfolios and the impact of the PTAB's decision on funding.

Sheppard Mullin's Intellectual Property Practice Group partner Harper Batts, who also leads the firm's PTAB Group, commented on the role that the Fintiv rule factors played in the PTAB's VLSI decision. He said, "This is the poster child of what's wrong with the Fintiv factors. Intel had to go through all the costs and effort and expense and have a big jury verdict show up in the press when the patents should have been invalidated in the first place." Batts also expressed uncertainty as to where the United States Patent and Trademark Office's Advanced Notice of Proposed Rulemaking on the PTAB and Fintiv is headed. "It doesn't provide any certainty or guidance to practitioners on where the PTAB may be heading on this point," he commented.

To read the full article, [click here](#). (A subscription is required)

Attorneys

Harper Batts

Practice Areas

Intellectual Property

Patent Litigation

Post-Grant Proceedings