

Q&A: Shouvik Biswas, Aaron Lukas and Blake Coblentz on the America Invents Act

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Blake Coblentz and Aaron Lukas spoke with *World Intellectual Property Review* to discuss the 10-year anniversary of the America Invents Act (AIA). Aaron was asked about how AIA has impacted litigation over the past decade, and he said, "the AIA's main impact on patent litigation over the past decade has resulted from post-grant challenges through *inter partes* reviews (IPRs) and post-grant reviews (PGRs). Specifically, the lower burden of proof for an invalidity challenge at the PTAB compared to US district courts has resulted in defendants in many lawsuits choosing to file IPRs or PGRs on patents asserted against them."

Blake was asked what the significance of the anniversary means, and he said, "at the ten-year mark, we are finally at a time where a majority of the newly issued patents were reviewed by the PTO under the AIA rules. As these patents are asserted in litigation and/or are challenged in IPR and PGR proceedings, we will see the substantially rewritten 35 USC § 102 and what counts as prior art comes into play more and more."

To read more of this article, [click here](#).

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