Advanced Obviousness Analysis: Understanding the Reasonable Expectation of Success Doctrine

Fitch, Even, Tabin & Flannery LLP will present a **free webinar**, "Advanced Obviousness Analysis: Understanding the Reasonable Expectation of Success Doctrine," featuring Fitch Even attorneys David A. Gosse and Margaret "Peggy" Wojkowski.

The event will be on Thursday, May 31, 2018, at 9:00 am PDT / 10:00 am MDT / 11:00 am CDT / 12 noon EDT.

When an invention combines previously known features, non-obviousness turns on whether the person having ordinary skill in the art would have a reason to make the combination. This analysis requires considering whether the ordinarily skilled person would have a reasonable expectation of success in combining the known features, the firm said in a release.

Recent Federal Circuit cases provide guidance in successfully arguing for patentability under this doctrine and establish that it applies even when obviousness is asserted based on a single reference. Successfully arguing obviousness in patent prosecution, post-issuance proceedings, and district court litigation depends on this analysis with increasing frequency.

In addition to discussing applicable cases, the event will explore these issues:
• When do circumstances favor arguing reasonable expectation of success at the PTAB and during patent examination?
• What types of evidence are helpful or needed to support the arguments?
• How can patents be drafted to establish that skilled persons would not have expected success by modifying the known art?

Register for the webinar.