

# The Scope of AIA's Estoppel Provision: Are We Still Flying Blind Six Years Later?

Fitch, Even, Tabin & Flannery LLP will present a **free webinar**, "The Scope of AIA's Estoppel Provision: Are We Still Flying Blind Six Years Later?," featuring Fitch Even partner Eric L. Broxterman.

The webinar will take place on Wednesday, May 31, 2017, at 9:00 am PDT / 10:00 am MDT / 11:00 am CDT / 12:00 noon EDT.

Congress drafted the "estoppel" provision in the American Invents Act (AIA) to ensure that petitioners did not abuse the post-grant review procedure established by the USPTO. The estoppel provision precludes the petitioner from later challenging the same patent claim, either in the USPTO or in civil litigation, on any ground that the petitioner "raised" or "reasonably could have raised" during the post-grant review. Almost since its enactment, there has been a debate over the appropriate scope of this provision. Given that the estoppel effect was largely untested, the first participants in these proceedings flew blind to some extent.

Now, roughly six years later, rulings regarding the application of the estoppel are inconsistent and tend to leave practitioners more confused and no better off than the first post-grant review trailblazers.

This webinar will provide information on what you need to know about this provision, including these topics:

- Overview of the estoppel provision
- The provision's legislative history
- The impact of recent decisions applying the provision
- Why the provision is not scaring off petitioners of post-grant reviews

CLE credit has been approved for California, Illinois, and Nebraska. Other states may also award CLE credit upon attendee request. There is no fee to attend, but registration is required.

Following the live event, a recording of the webinar will be available to view for one year at [www.fitcheven.com](http://www.fitcheven.com).

**Register for the webinar.**

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