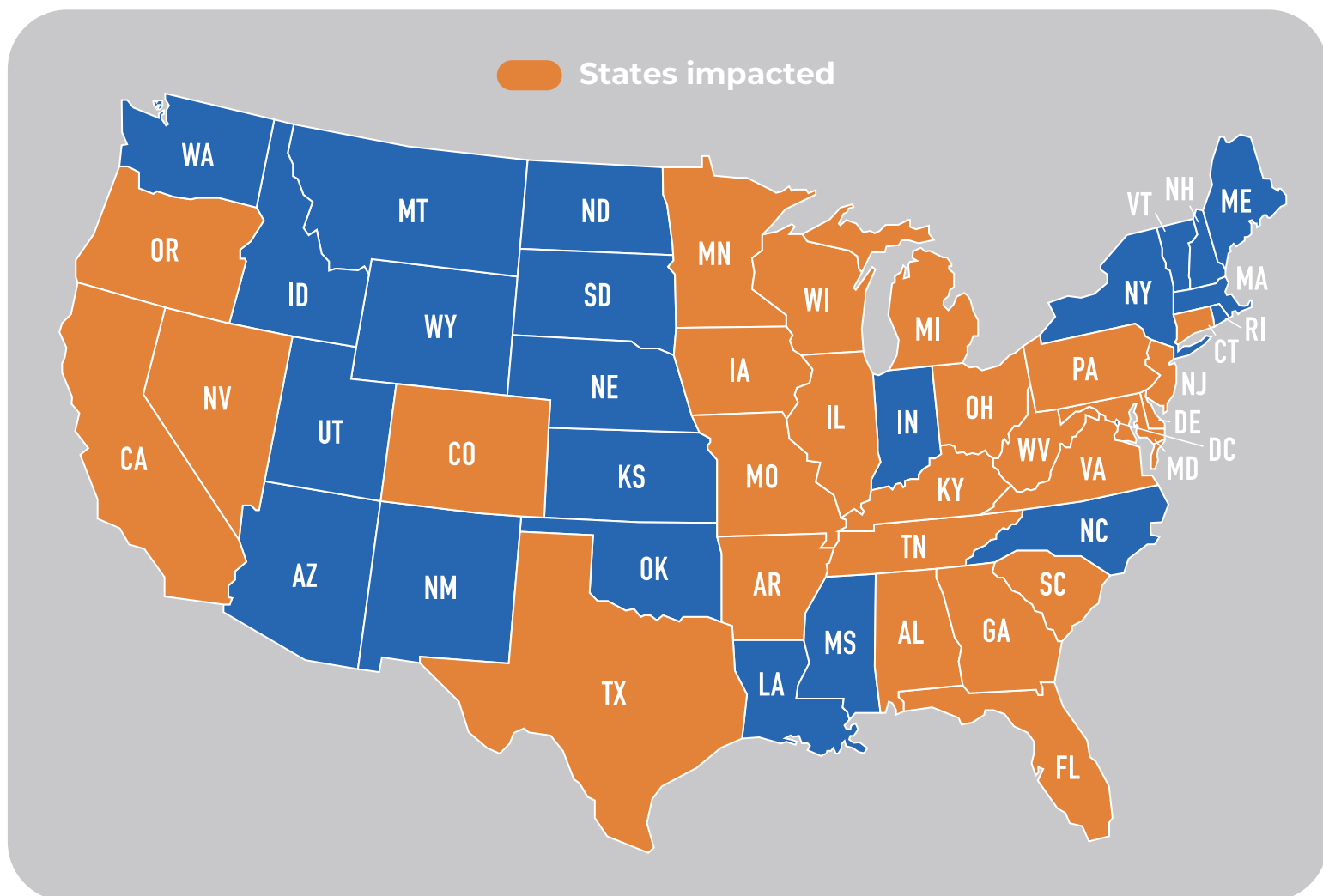




IPR Protects Small Businesses Nationwide

Before Congress passed the America Invents Act in 2011 and created the Inter Partes Review (IPR) program, many businesses were forced to settle abusive patent lawsuits just to avoid the burdensome cost of litigation. Thanks to IPR, businesses could have the Patent and Trademark Office (PTO) assess whether a patent should have been granted. And while Main Street businesses do not typically initiate an IPR themselves, they often benefit from IPRs initiated by their suppliers and service providers challenging patents that could – and often are – asserted directly against Main Street businesses. Thus, the IPR process benefits all businesses by addressing invalid patents so that they can no longer be used to threaten operating companies and take resources away from their work.

One example showing the importance of IPR comes from a far-reaching (but not atypical) patent litigation campaign in which a non-practicing entity (NPE) sued 74 businesses located in 23 states for using technology that allowed them to print over a network. Many of those targeted were small commercial printing shops, some of which had been family-owned and operated for generations. Luckily, several commercial printer companies used the IPR process to have the PTO review the invalid patent in question and got the patent overturned, helping to save many small businesses from having to pay a shake-down settlement or hefty litigation costs.



A single NPE can use abusive patent litigation to harm small businesses throughout the nation. In this case, small print shops in almost half of the states faced costly litigation over the use of a widespread and common technology. Thankfully, the IPR process worked as intended, stopping the harmful lawsuit and preventing future abuses.