

The Right Choice: IP Stakeholders Emphasize Practical Experience, Strong IP Advocacy in Next USPTO Head

Tuesday, January 26, 2021

Aaron Lukas was quoted in *IPWatchdog* discussing the vacancy of under secretary of Commerce for Intellectual Property and director of the U.S. Patent and Trademark Office (USPTO), as well as deputy. "A hallmark of former Director Iancu's time at the USPTO was an emphasis on greater transparency and predictability for patent applicants and their counsel. Particularly noteworthy were former Director Iancu's guidance in clarifying subject matter eligibility and the conduct of PTAB proceedings. The Biden administration would be well-served by continuing Director Iancu's efforts to provide clear guidance to applicants, patent owners and challengers, and perhaps most importantly, patent examiners and administrative patent judges. I expect the new director to have considerable management experience and to continue the former director's ultimate goal of issuing high-quality patents. Subject matter eligibility under 101 is likely to remain a hot-button issue, as well as the recent rise in the PTAB's discretionary denial of IPR petitions. While the former director was seen by many as being too "pro patent," a focus on patent quality arguably serves both high-tech and pharma companies." said Aaron.

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