Banner & Witcoff represents firm client NIKE in two more IPR wins against Skechers

On June 28, 2018, the Patent Trial and Appeal Board denied two Skechers' inter partes review challenges directed at design patents covering NIKE's popular FREE outsole designs.

After defeating Skechers' two most recent challenges, NIKE has prevailed on all 15 challenges mounted by Skechers over the past two years. Banner & Witcoff represented NIKE in all 15 wins.

Skechers' most recent challenges targeted NIKE design patents D723,781 and D723,783. Skechers claimed NIKE's designs were obvious to a designer of ordinary skill. The PTAB disagreed, finding that Skechers "fail[ed] to identify a single reference that creates 'basically the same' visual impression as the patented design."

NIKE was represented by Christopher J. Renk, Erik S. Maurer, Michael J. Harris, Audra C. Eidem Heinze, Aaron Bowling and Kurt C. Riester.

Click here to read a Law360 article highlighting NIKE's win.

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