Determining Design Patent Validity Infringement

Banner Witcoff's Richard Stockton will participate as a panelist in "Determining Design Patent Validity Infringement" at the 2026 ABA-IPL Section Annual Meeting on April 16.

CLE Overview:

Following International Seaway (2009) on anticipation and more recently LKQ v. GM (2024) on obviousness, the Federal Circuit has revamped design patent validity analysis. On the flip side, the Federal Circuit regularly weighs in on infringement analysis conducted by district courts on motions to dismiss and motions for summary judgement. This panel will explore new frameworks for design patent anticipation and obviousness examination at the USPTO, and how Examiners, the Board and Courts are applying obviousness analysis since LKQ v. GM. It will go on to review design patent infringement analysis in district courts litigation and appellate review.

Banner Witcoff is proud to be a sponsor of the 2026 ABA-IPL Section Annual Meeting.