



July 23, 2024

Vice Chief Judge Janet Gongola

Lead Judge Ryan Flax

Judge Cynthia Murphy

Elana Araj, Greenberg Traurig

Kaitlin Farrell, Haug Partners

Eric Greenwald, Merck

# Agenda

- Introductions
- Background on LEAP
  - Panel 1: How a Less Experienced Practitioner Benefits from LEAP
- LEAP Stats
  - Panel 2: How a Client Benefits from LEAP
- LEAP free training events
  - Panel 3: Judges Experience with LEAP



# Legal Experience and Advancement Program

- Launched on May 15, 2020
- Goal: to foster the advancement of the next generation of patent practitioners through
  - oral advocacy opportunities
  - and skills development



# Eligibility

- Targeting patent agents and attorneys newer to the practice of law or to the PTAB
- To qualify for LEAP, a patent agent or attorney must have:
  - Three (3) or fewer substantive oral arguments in any federal tribunal, including PTAB
  - “Substantive” arguments: arguments directed to the merits of the case
  - Pro bono arguments do not count toward the 3 argument limit



# Safety net

- Party granted 15 extra minutes of argument time in exchange for permitting a LEAP practitioner to argue
  - Ex parte appeals and AIA trial proceedings
- Party decided how to use the extra minutes, so long as the LEAP practitioner is given a substantive role
- More experienced counsel may assist a LEAP practitioner, if necessary, during oral argument
  - For example, to clarify any statements on the record

# **Panel 1: How a Less Experienced Practitioner Benefits from LEAP**

# LEAP requests

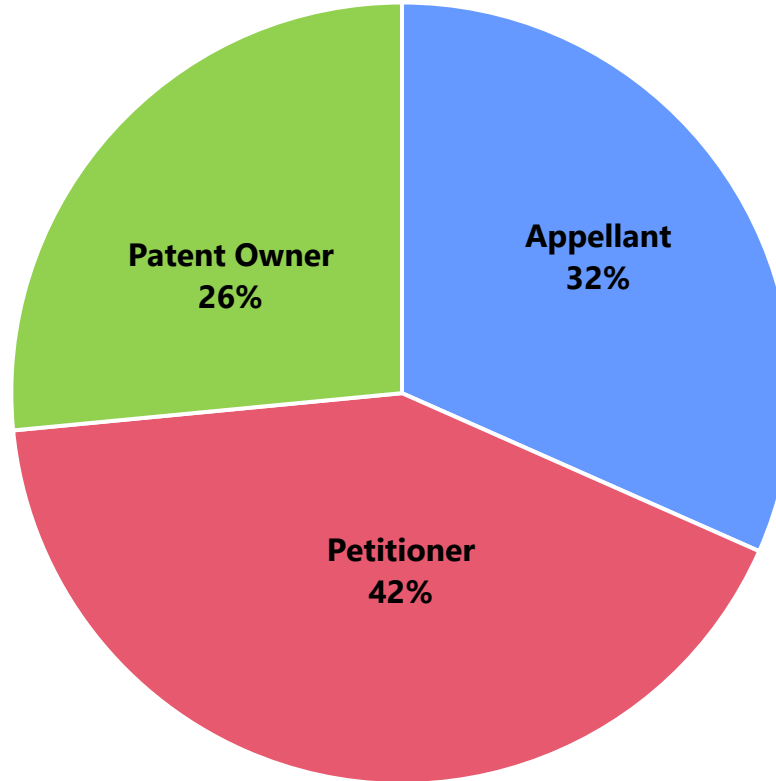
(May 2020 – July 2024)

- Total number of LEAP requests received: 411
  - 172 AIA petitioners
  - 109 AIA patent owners
  - 130 ex parte appellants
- Total number of LEAP requests granted: 410
  - One requests denied due to practitioner not meeting eligibility requirements and one request denied as untimely.



# Requesting party

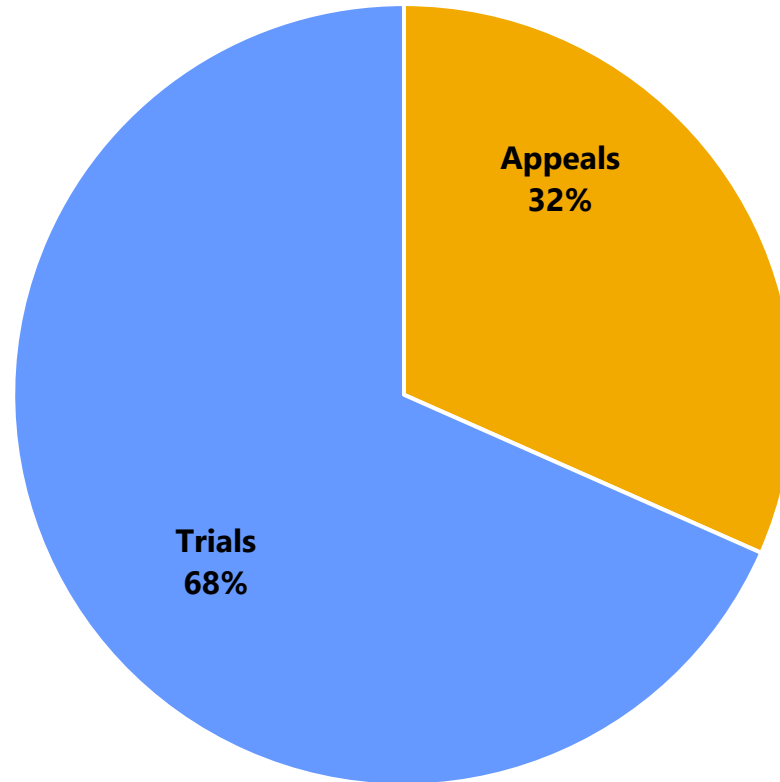
(May 2020 – July 2024)





# Proceeding type

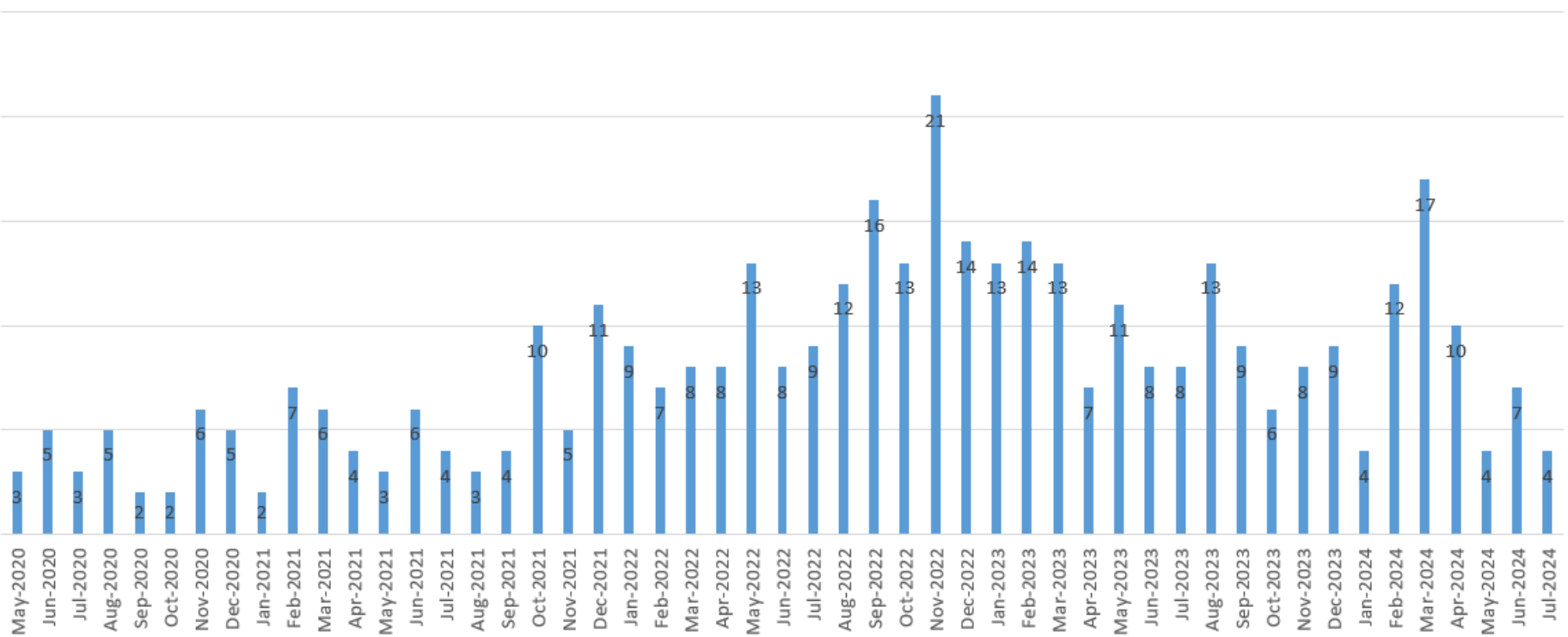
(May 2020 – July 2024)



# Top Requesting Firms

- Sterne, Kessler, Goldstein & Fox, PLLC
- Finnegan, Henderson, Farabow, Garrett & Dunner
- Fish & Richardson
- Wolf, Greenfield & Sacks, PC
- Foley & Lardner LLP
- Knobbe, Martens, Olson & Bear, LLP,
- DLA Piper LLP
- Unified Patents, LLC

# Requests by Month



# **Panel 2: How a Client Benefits from LEAP**

# LEAP free training events

- LEAP mock argument trilogy (**Annually in May**)
  - Preparation webinar with experienced practitioners
  - Mock argument practicum with panel of APJs
  - Argument encore webinar
- LEAP to Chambers (**Fall 2024 in Dallas**)
  - Provides LEAP-eligible practitioners with an inside perspective on practice before PTAB
- LEAP to Law Schools (**Starting in Fall 2024**)
  - Connects law school students with PTAB judges to provide information about the work of the PTAB and about LEAP



# PTAB Moot Court Competition

- Free, fully virtual program is open to teams of law students who will be enrolled in law school full-time or part-time during the 2024-2025 academic year
- Work directly with PTAB Judges as team mentors and coaches
- Attend optional training sessions on AIA trial processes, oral and written advocacy, and PTAB practice tips
- <https://www.uspto.gov/patents/ptab/moot-court-competition>



# PTAB subscription

- Sign up to receive email notifications about LEAP events

- <https://www.uspto.gov/patents/ptab>

The screenshot shows the USPTO Patent Trial and Appeal Board (PTAB) website. At the top, the USPTO logo and navigation links are visible. The main content area is titled "Patent Trial and Appeal Board" and includes a description of the board's functions. Below this, there are three columns of links: "Trials and appeals", "Decisions", and "Learn more". A navigation bar at the bottom of the main content area includes links for "P-TACTS system", "Search decisions, documents, proceedings", "Hearing information", and "Latest developments".

Below the navigation bar, there are several news and event cards. The "LEAP" card (Legal Experience and Advancement Program) is highlighted with a red circle. The "PTAB MOOT COURT COMPETITION" card is also visible. Other cards include "DIRECTOR'S BLOG" and "NOTICE OF PROPOSED RULEMAKING".

At the bottom of the page, there is a "Sign up for emails from PTAB" section. This section includes a text input field for an email address, a "Submit" button, and a "Subscribe" button. The "Sign up for emails from PTAB" text and the input field are circled in red.

# **Panel 3: Judges Experience with LEAP**



**Thank you**