



## Patent Attorney TJ Mantooth in IP Watchdog - Industry Reacts to the Supreme Court's Arthrex Ruling

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*IPWatchdog*

<https://www.ipwatchdog.com/2021/06/21/industry-reacts-supreme-courts-arthrex-ruling-chaos-averted-just-delayed/id=134819/>

**Industry Reacts to the Supreme Court's Arthrex Ruling: Chaos Averted – or Just Delayed? Oklahoma Patent Attorney TJ Mantooth speaks with IPWatchdog**



"The decision muddies the waters because the Court merely required oversight of [APJs] to be possible, which allows decision makers to sometimes, always, or never be reviewed by an official appointed by the President and approved by the Senate in accordance with the Appointments Clause.

Patent validity, prior to this decision, could not be overturned by the USPTO Director. The Director could move an APJ on future cases, but couldn't directly review and influence an existing IPR. After this decision, the Director at least is required to have an opportunity to review and influence the decision of an IPR. As a result, we may have two layers of IPR decision making, with the

APJs and the USPTO Director, but that dual layer arrangement is not required."

## Attorneys

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- Tyler J. Mantooth

## Practices

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- Intellectual Property
- Patents & Patent Litigation