

The Treatment of Derivation and Independent Conception Under the America Invents Act

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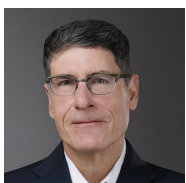
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Partner [Joseph Micallef](#) published an article in the Intellectual Property & Technology Journal titled “The Treatment of Derivation and Independent Conception Under the America Invents Act,” which discusses how the America Invents Act (AIA) shifted the U.S. patent system from “first to invent” to “first to file.” While the change was meant to simplify novelty assessments, the article explains that ambiguity in Section 102(b) means inventorship disputes are still likely to arise. Patent applicants should continue to be prepared to address and litigate these issues under the AIA.

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