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Challenges in Proving Up Publications as Prior Art



When proving up prior art in *inter partes* review (IPR) patent challenges, patents and patent applications are easy in comparison to publications. The issues are far more complicated and unpredictable when working with books, journal articles, product manuals, and other printed materials.

This article analyzes varying opinions from Patent Trial and Appeal Board panels, along with the concerns at play in *Hulu, LLC v. Sound View Innovations, LLC*, to help practitioners improve their strategies.

### **Authors**

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