

Specialized Patent Courts Begin 10-Year Trial

From [patent reform](#) to increased filings, there have been several major developments in patent law this year, including the creation of a 10-year district court patent pilot program.

Through this program, several federal districts were selected to serve as specialized patent courts in an effort to encourage enhancement of expertise in patent cases among district judges. Patent cases will continue to be randomly assigned to judges in federal court as usual, however, judges now have the option of declining the case and sending it to one of the specialized patent courts.

According to the Southern District of New York's Chief Judge, Loretta A. Preska, "This pilot will further refine the court's expertise, and it will ultimately help us better serve patent litigants."

Attorneys, politicians and intellectual property owners have long been asking for specialized patent courts. For example, in 2007, a similar pilot program passed the House of Representatives but died with the 109th Congress.

The appeal of specialized patent courts is in their hypothetical ability to efficiently handle these complicated cases. As District Judge Thomas Griesa points out, "These can be difficult cases to deal with, and of a particular technical nature." Having a court that is well versed in patent law eases the process.

Pursuant to [Pub. L. No. 111-349](#), fourteen district courts were selected for the program in June of this year. They were chosen from among the fifteen district courts that had the largest number of patent cases filed in 2010.

As mentioned in earlier coverage of the patent reform, many patent attorneys expect increased litigation to result from the loose language in the America Invents Act. One U.S. patent agent believes "the patent community will be at sea for a number of years until the Federal Circuit and Supreme Court definitively interpret loose language." It is possible that the district courts selected for this pilot program will serve as the first step in clarifying current patent laws.

The courts selected:

- Eastern District of New York
- Southern District of New York
- Western District of Pennsylvania
- District of New Jersey
- District of Maryland
- Northern District of Illinois
- Southern District of Florida
- District of Nevada
- Eastern District of Texas
- Northern District of Texas
- Western District of Tennessee
- Central District of California
- Northern District of California
- Southern District of California

Tell us: Do you think specialized patent courts are needed? What are the advantages and disadvantages?

This article was originally posted on [BullsEye](#), a legal blog on expert topics published by [IMS ExpertServices](#).