

VLP Partner Edward Kwok Quoted in IPWatchdog Article “Industry Reaction to the Federal Circuit’s Decision in *Aqua Products v. Matal*”

VLP Partner Edward Kwok was quoted in the *IPWatchdog* article “Industry Reaction to the Federal Circuit’s Decision in *Aqua Products v. Matal*.”

The article reported on the United States Court of Appeals for the Federal Circuit ruling in *Aqua Products v. Matal*, which held that the petitioner in an inter partes review (IPR) proceeding bears the burden of persuasion with respect to demonstrating the unpatentability of any amended claims requested by the patent owner.

IPWatchdog asked several intellectual property attorneys for their thoughts on the decision.

Mr. Kwok commented: “This decision ups the ante for the defendant — levels the playing field for the patent owner, depending on who you represent — as there is a much higher chance that the defendant, not only losing the fight on invalidating the patent, may come out of the IPR with patent claims that are even harder to argue non-infringement.”

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