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## Revocation Proceedings Around the World

Mechanisms to challenge the validity of granted patents are available in many countries throughout the world. The June 2017 issue of Sterne Kessler's Global Patent Prosecution Newsletter includes information on global revocation proceedings, with a focus on Europe and United States.

Sterne Kessler's Global Patent Prosecution Newsletter is designed to help meet the needs of biotech/pharmaceutical companies regarding global patent prosecution strategies. For more information, please contact [Paul Calvo](#) or [John Covert](#). If you wish to unsubscribe from this and other newsletters, please click on the unsubscribe link below.

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## A Comparison of US and EPO Post Grant Practices

By: [Olga A. Partington, Ph.D.](#) and [Paul A. Calvo, Ph.D.](#)

Challenging the validity of a patent through the courts of Europe and the United States can be a time-consuming and expensive process. Oppositions at the European Patent Office (EPO) and

US post-grant cancellation proceedings—namely, post-grant review (PGR) and *inter partes* review (IPR)—adjudicated by the Patent Trial and Appeal Board (PTAB) – can be effective tools for dealing with competitors' patents.

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## EP Opposition and US *Inter Partes* Review Decisions Go Hand In Hand

By: [Lori M. Brandes, Ph.D.](#) and [Peter A. Jackman](#)

It is often desirable to obtain patent protection for inventions both in Europe and the United States. As a result, competitors frequently look to Europe and the US as important jurisdictions for challenging the validity of a patent.

Patents can be challenged at the European Patent Office by opposition or at the US Patent and Trademark Office by post-grant proceedings such as *inter partes* review (IPR).

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## Worldwide Revocation Mechanisms

Country	Third Party Observation and Protest	Pre-grant Opposition	Post-grant Opposition	Re-examination ( <i>ex parte</i> )	Re-examination ( <i>inter partes</i> )	Administrative Revocation and invalidation
Australia	√	√		√		
Brazil			√			
Canada	√			√		
China	√					√

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