

**Sterne Kessler Releases Report  
*Federal Circuit Appeals from the PTAB and ITC:  
Summaries of Key 2021 Decisions***

**Washington, D.C.** (February 7, 2022) – Sterne, Kessler, Goldstein & Fox is pleased to announce the publication of *Federal Circuit Appeals from the PTAB and ITC: Summaries of Key 2021 Decisions*. The year-in-review report was edited by Director [Jon E. Wright](#) and authored by Directors [Michael Joffre, Ph.D.](#), [Kristina Caggiano Kelly](#), [William H. Milliken](#), [Pauline M. Pelletier](#), [R. Wilson “Trey” Powers III, Ph.D.](#), and [Deirdre M. Wells](#); Counsel [Anna G. Phillips](#); Associate [Kathleen Wills](#); and former Associate Jamie Dohopolski.

Now in its sixth year, this annual report provides summaries of the most notable 2021 decisions issued by the U.S. Court of Appeals for the Federal Circuit for cases on appeal from the U.S. Patent and Trademark Office’s Patent Trial and Appeal Board (PTAB) and the U.S. International Trade Commission (ITC). Topics of the featured intellectual property cases include: publication status, non-obviousness for design patents, prosecution laches and other estoppels, agency preclusion, intervening rights in PTAB cases, whether forum selection clauses can bar PTAB proceedings, and challenges made to PTAB discretionary denial practices under the *NHK-Fintiv* standard.

The report also recaps two U.S. Supreme Court decisions with implications for patent practitioners: *United States v. Arthrex* and *Minerva Surgical, Inc. v. Hologic, Inc.* Furthermore, the publication presents Federal Circuit data and trends for major origins of appeals, average appeal pendency, appeal disposition types, and appeal outcomes.

The full *Federal Circuit Appeals from the PTAB and ITC: Summaries of Key 2021 Decisions* report and individual articles are available on Sterne Kessler’s website in HTML and PDF formats [here](#). In the coming months, the firm will publish a companion report concerning notable 2021 PTAB decisions. Additionally, webinars will be held to review the cases highlighted in both reports. The programs will be hosted live and will be available for on-demand viewing [here](#).

**About Sterne, Kessler, Goldstein & Fox**

Based in Washington, D.C. and renowned for more than four decades for dedication to the protection, transfer, and enforcement of intellectual property rights, Sterne, Kessler, Goldstein & Fox is one of the most highly regarded intellectual property specialty law firms in the world. Its team of attorneys, registered patent agents, students, and technical specialists include some of the country’s most respected practitioners of IP law tackling innovations across a broad spectrum of industries. The firm’s practitioners hold over 50 masters and over 50 doctorate degrees in science or engineering and represent Fortune 500 companies, entrepreneurs, start-ups, inventors, venture capital firms, and universities in a client service driven environment that is welcoming, inclusive, and intellectually stimulating. Visit the firm online at [sternekessler.com](http://sternekessler.com).

**Media Contact**

Kathryn Holmes Johnson  
Director of Marketing and Communications  
+1 202.772.8925  
[kholmesjohnson@sternekessler.com](mailto:kholmesjohnson@sternekessler.com)