

IP HOT TOPIC

Sterne Kessler has Published *2023 Design Patents Year in Review: Analysis & Trends Report*



Sterne, Kessler, Goldstein & Fox has released a new publication, *2023 Design Patents Year in Review: Analysis and Trends*. The report was edited by Director [Tracy-Gene G. Durkin](#) and authored by Directors [Daniel A. Gajewski](#), [Deirdre M. Wells](#), and [Ivy Clarice Estoesta](#).

The full *2023 Design Patents Year in Review: Analysis and Trends* report and individual articles are available on Sterne Kessler's website in HTML and PDF formats [here](#). An on-demand webinar featuring the editor and authors of the report is posted [here](#).

The report highlights some of the important developments that occurred in 2023

involving design patents at the U.S. Court of Appeals for the Federal Circuit (CAFC), the U.S. International Trade Commission (ITC), U.S. District Courts, and the U.S. Patent and Trademark Office Patent Trial and Appeal Board (PTAB). The publication also provides an update on recent legislative changes that are taking place globally concerning design protection and enforcement, as well as practice changes.

Specifically, topics explored in this report include two cases of note decided by the CAFC: the first, *Columbia Sportswear N. Am. Inc., v. Seirus Innovative Accessories Inc.*, that addressed an issue of first impression, and the other, *LKQ v. General Motors*, covered the court agreeing to hear a case *en banc* to consider whether the long-standing design patent obviousness analysis requires modification. The report also examines the ITC and the PTAB continuing to hear design patent cases and trends that show the durability of design patents. Further, the report highlights important updates to global design protections and their implications for IP holders and practitioners.

Sterne Kessler's *Federal Circuit Appeals from the PTAB: Summaries of Key 2023 Decisions*, is available [here](#). In the coming weeks, the firm will publish two additional reports covering notable 2023 PTAB decisions and cases at the ITC. The firm is presenting webinars to review the content highlighted in all of the reports. The programs are being hosted live and are available for on-demand viewing. Registration and download information is available [here](#).

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