

Firms Plan Earlier Petitions in Wake of PTAB Policy Shift

Media Mentions

March 07, 2025 | *Managing Intellectual Property* | 1 minute read | Austin

Bracewell's **Kit Crumbley**, a former lead administrative patent judge, told *Managing Intellectual Property* that the Patent Trial and Appeal Board's recent decision to abandon *Fintiv* guidance could make putting together PTAB petitions more challenging.

"Once you file a petition, that's your case. And so having the one year of breathing room that the America Invents Act gives you to file a petition really is useful in making sure you draft the best petition that you can."

Crumbley added that the 2022 guidance provided a little bit more stability and certainty in how the individual panels of the board decided whether to discretionarily deny under *Fintiv*.

"If we're going back to a world where we don't have that anymore, I think we'll see a period of a lot more variation from panel to panel in how cases are handled."

Related People

Christopher "Kit" L. Crumbley

Partner

AUSTIN

+1.512.244.3621

kit.crumbley@bracewell.com

Related Industries

[Technology](#)

Related Practices

[Intellectual Property](#)

[Intellectual Property Litigation](#)