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Re: Implementation of Final Rule by USPTO Has Been Enjoined

Dear Colleague:

As we have previously informed you, implementation of the Final Rule was scheduled by the U.S. Patent and Trademark Office for November 1st. However, in the recently filed lawsuit *SmithKline Beecham Corporation v. Dudas, et al.*, the plaintiffs asked the court to block such implementation. In an October 31st hearing, the judge issued a [preliminary injunction](#) blocking the November 1st implementation. We stress that this injunction is preliminary and that, in due course, the court will determine whether the injunction is to become permanent.

Until then, however, the most important points are that (i) the patent rules currently in force will remain unchanged, and (ii) none of the provisions of the Final Rule will be brought into force.

As always, we remain happy to address any concerns you may have concerning the preliminary injunction or any other matter.

Very truly yours,

COHEN PONTANI LIEBERMAN & PAVANE LLP