



# Patent Appeals: The Elements of Effective Advocacy in the Federal Circuit

*Mark Simon Davies*

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## **Patent Appeals: The Elements of Effective Advocacy in the Federal Circuit** Mark Simon Davies

The need for a legal "Elements of Style" aimed at U.S. patent litigators has long been acknowledged by patent law attorneys and judges within the Federal Circuit. The United States Court of Appeals for the Federal Circuit has recently embarked on a campaign to improve the quality of briefing. With *Patent Appeals: The Elements of Effective Advocacy in the Federal Circuit*, Mark Davies has provided attorneys with an indispensable guide to briefing and arguing cases before the Federal Circuit.

*Patent Appeals: The Elements of Effective Advocacy in the Federal Circuit* is a practical guide to appellate advocacy for patent attorneys appearing before the federal appellate court responsible for patent law. The book guides readers through the organizational requirements needed for a Federal Circuit appellate brief, as set out in the Federal Rules of Appellate Procedure, with an emphasis on developing an appellate style for briefing a patent appeal. It is an essential manual of instruction for litigators and anyone interested in understanding the procedures of writing a winning appellate brief and presenting it in court. Topics include clear writing, the importance of presentation, the types of arguments most likely to succeed, and the formal requirements for filing a brief. Other issues include effective oral argument presentation and petitions for panel rehearing and rehearing en banc. Samples (all written by the author) are included.

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