



IP-Watch Inside Views: Rethinking Article III Standing In IPR Appeals At The Federal Circuit (US)

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[In January 2018, a three-judge panel of the U.S. Court of Appeals for the Federal Circuit in *RPX Corp. v. Chanbond LLC* issued a non-precedential order dismissing an appeal by RPX \(as a dissatisfied petitioner\) of an adverse final written decision in an *inter partes* review \(“IPR”\) proceeding initiated in response to RPX’s petition. In particular, by applying its prior precedential decisions in *Consumer Watchdog v. Wisconsin Alumni Research Foundation*, and *Phigenix Inc. v. Immunogen, Inc.*, the court concluded “that RPX lacks Article III standing to appeal the Board’s decision affirming the patentability of claims 1-31 of the ’822 patent.”](#)