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Sent: Monday, November 28, 2011 5:39 PM  
To: aia\_implementation  
Subject: First-Inventor-to-File

When the US implements the First to File – will there be essentially two corridors of litigation. In other words, if the patent has an effective filing date pre-implementation, will the old 102 statute apply (be in effect) for those patents. Will the new provision (statute) only apply prospectively to patents, patent apps with effective filing dates on or after implementation.

I have not seen anyone address this issue. Thoughts??