



FOR IP LITIGATION PARTNERS, SENIOR ASSOCIATES, AND INNOVATION LEADS

The New Standard in Patent Litigation

A practitioner's guide to evaluating AI-assisted patent litigation workflows,
verification standards, and law-firm value.

01

The Stakes

AI in patent practice is no longer evaluated only on how quickly it can produce work product. What matters increasingly is whether that work product is transparent, verifiable, and defensible—whether practitioners can understand how an output was generated, validate the underlying support, and rely on it with confidence.

The Regulatory Landscape

USPTO GUIDANCE

February 2024 – USPTO Guidance on AI-Assisted Practice

The USPTO issued guidance addressing the use of AI in matters before the Office, emphasizing that practitioners remain responsible for compliance with their duties of candor, good faith, and reasonable inquiry, regardless of whether AI tools are used.

June 2025 – Request for Information on Automated Patent Solutions

The USPTO sought public input on the role of automated tools and artificial intelligence in patent examination and related workflows, signaling continued exploration of AI-enabled processes within the patent system.

October 2025 – AI Search Automated Pilot Program

The USPTO launched its AI Search Automated Pilot Program, testing AI-assisted prior art search capabilities as part of its broader effort to evaluate how artificial intelligence can enhance patent examination efficiency and quality.

Taken together, these developments point in the same direction: AI is becoming increasingly integrated into patent practice, with accountability remaining with the practitioner. As adoption grows, transparency, traceability, and human oversight will continue to be essential.

Empirical Evidence

A 2025 study by the **University of Minnesota** and the **University of Michigan** found that AI tools significantly improved the quality of legal work across complex legal reasoning tasks while delivering efficiency gains of **38% to 140%**. Importantly, the study also underscores a critical point for practitioners: AI performs best when used to augment professional judgment. Human review remains essential to validate, refine, and ultimately stand behind the work product.

Attorney Judgment Matters

Responsible adoption of AI is compatible with innovation. In patent practice, it means ensuring that outputs are accurate, supported, and appropriately reviewed before they are used in prosecution, portfolio strategy, or litigation.

Patlytics Adoption and Data Coverage

55%

of Am Law 100 firms
use Patlytics

67%

of Chambers Band 1 and 2
ranked IP firms use Patlytics

130+ million

patents and patent publications
across 7 jurisdictions

400M+

NPL from
250,000+ sources

02

A Practical Evaluation Framework

A citation-backed answer means more than identifying a document. In patent practice, the reviewer should be able to trace each material proposition to the specific source and supporting passage, evaluate it in context, and determine whether it supports the relevant claim limitation, legal position, or technical conclusion.

TIER 1: GENERAL-PURPOSE AI

Plausible Analysis Without Verifiable Support

General-purpose LLM may generate coherent analysis. However, the output is not necessarily tied to underlying evidence. Assertions are typically not linked to the specification, prosecution history, prior art references, product documentation, standards materials, or other relevant sources.

As a result, practitioners often cannot determine which source supports a particular assertion, whether a claim element is actually disclosed, or whether a cited conclusion accurately reflects the underlying materials.

Before relying on the output, counsel must independently locate, review, and validate the supporting evidence.

TIER 2: GENERAL LEGAL AI

Citations Without Patent-Specific Traceability

Some legal AI tools provide citations, links, or references to source documents. While that is a meaningful step forward, a citation alone does not necessarily show how the evidence supports the conclusion.

In patent matters, practitioners often need more than a reference to an entire document. They need to identify the specific passage being relied upon, understand its context, and evaluate how it relates to a particular claim limitation, claim construction, invalidity position, infringement theory, or prosecution-history issue.

TIER 3: PATENT-SPECIFIC, TRACEABLE WORKFLOWS

Evidence-Linked Work Product for Attorney Review

Patent-specific workflows can connect material propositions to identified sources and, where appropriate, the specific passages supporting the analysis.

The reviewer can move from claim language to supporting evidence, inspect the cited excerpt in context, evaluate the correspondence, and apply attorney judgment where necessary.

Attorney review remains essential. The objective is to make it more efficient, transparent, and easier to validate.

03

10 Questions Patent Practitioners Should Ask Any AI Vendor

- 1. Does it analyze claims at the limitation level?**
Look for limitation-by-limitation mappings supported by citations to the underlying evidence. High-level summaries are rarely sufficient for infringement, invalidity, or clearance work.
- 2. Does it go beyond keyword matching?**
Patent analysis often requires identifying technical overlap despite different terminology. Look for semantic and concept-based analysis in addition to keyword search.
- 3. How does it prevent hallucinations and unsupported conclusions?**
Look for outputs grounded in source documents, with citations that can be verified and reasoning that can be independently reviewed.
- 4. What data sources does it analyze?**
The platform should support the sources patent practitioners routinely rely on, including patents and published patent applications, non-patent literature, standards documents, product documentation, prosecution histories, and matter-specific uploads.
- 5. Does it support end-to-end patent workflows?**
Patent work is iterative. Look for workflows that preserve claim constructions, assumptions, prior analyses, and work product across multiple workflows, keeping each analysis connected to the others.
- 6. Can claim constructions be applied consistently across matters?**
Look for the ability to define, revise, and reuse claim constructions across infringement, invalidity, freedom-to-operate, and claim-charting workflows.
- 7. How does it address security and client confidentiality?**
Evaluate certifications, encryption practices, access controls, data segregation, retention policies, and model-training policies. The handling of client data should be clear.
- 8. Is the same AI model used for every task?**
Patent workflows involve different types of analysis. Look for model selection tailored to the requirements of each task.
- 9. Can the platform explain its conclusions?**
Practitioners need to validate and defend their analyses. Look for transparent reasoning, source citations, and conclusions that can be traced back to the underlying evidence.
- 10. Does it provide matter-level governance and reporting?**
Look for matter-based organization, usage tracking, collaboration controls, and reporting features that align with law firm and corporate IP workflows.

04

Law-Firm Value Levers

Law-firm value depends on where efficiency accrues: diligence, leverage, realization, pitch quality, and matter economics.

80-90%

reduction in litigation
project time

1-2 days

saved per case
research engagement

+\$38K

margin opportunity
per project

PITCH AND CASE-DEVELOPMENT SUPPORT

Prepare more substantive early materials, including invalidity snapshots, infringement reads, file-history analysis, and patent summaries, before the matter is fully staffed.

MATTER-LEVEL ALLOCATION

Usage tracking supports matter-level allocation where the engagement structure permits it.

FIXED-FEE AND ALTERNATIVE-FEE MATTERS

Efficiency gains may improve realization or margin where the fee arrangement rewards leverage.

FASTER STRATEGIC DECISIONS

Earlier analysis helps teams decide whether a theory is worth developing, narrowing, or abandoning.

For law firms, the value comes from better early analysis with less write-off risk, giving partners more substantive material for case evaluation, pitches, and strategy discussions. The relevant measure is how quickly the team can reach a better-supported judgment, with citations and assumptions visible for review.

"Putting attorney judgment first and letting targeted automation handle the grunt work helps us move faster without lowering our standards."

Rivian Legal

05

What Traceable Patent Workflows Look Like in Practice

The practical test is whether claims, constructions, evidence, citations, assumptions, and edits remain connected as the analysis develops.

THE LITIGATION WORKFLOW

Portfolio-Scale Triage

Assess large patent sets by technology area, with color-coded heatmaps showing infringement or validity risk. Reviewers can drill down into claim-by-claim, limitation-by-limitation analysis.

Invalidity Analysis

Search across 130+ million patents and patent publications and 400M+ NPL from 250,000+ sources, including US, KR, JP, EP, WO, TW, and CN materials. Review citation-backed claim charts for § 102 and § 103, and § 112 claim analysis. Contention charts can follow a firm's template, and potential prior-art combinations are surfaced for attorney review.

Infringement Detection and Charting

Search public-domain sources for potentially infringing companies and products, with financial context that may include 8-K and 10-K SEC filings. Review limitation-by-limitation claim charts with read-strength indicators and evidence-of-use citations. Additional evidence can be surfaced for attorney review.

Claim Construction

Claim construction is generated during charting and applied in the charting analysis. File wrappers are automatically fetched so attorneys can assess disclaimer, estoppel, or applicant statements regarding scope. Attorneys can test constructions and see how positions change across invalidity and infringement workflows, including infringement reads.

WHAT TO VERIFY

1

Model Routing

Does the workflow route each patent task to an IP-appropriate model or workflow?

2

Patent-Specific Engines and Data

Does the workflow connect claim charting, invalidity, infringement, claim construction, prosecution-history review, patent/NPL search, FTO, SEP, portfolio heatmaps, drafting, and office actions to the underlying patent and NPL data?

3

Citation and Accuracy Layer

Patlytics reports 99%+ verbatim text excerpt accuracy, ~99% deterministic citation matching, >90% inference quality, and 99%+ LLM response structure integrity, with jump-to-citation linking for source verification.

4

Collaboration and Matter Controls

Can clients and outside counsel work in shared secure workspaces, with usage tracking and cost allocation by client matter where appropriate?

5

Human Validation

Patlytics' internal team includes nearly 10 IP attorneys averaging 14 years of experience from top firms.

SECURITY

SOC 2 Type II · ISO 27001 · ISO 42001 · GDPR. No training on customer data. Data segregated and never commingled. Encrypted in transit and at rest. Zero-day retention on LLM-processed data.



Evaluate it against a matter you know.

The most effective evaluation is performed on facts you already know well—claims you have analyzed, products you have reviewed, or prior art you have studied.

Review how the platform reached its conclusion, inspect the supporting evidence, and efficiently apply your own judgment to the analysis.

Infringement Analysis

Select claims and accused products you already understand. Review limitation-by-limitation claim charts, supporting evidence-of-use citations, claim constructions, and read-strength assessments.

The key question is how quickly you can determine why each limitation was mapped, inspect the underlying evidence, evaluate the proposed construction, and refine the analysis while maintaining a clear connection to the supporting record.

Invalidity Analysis

Run prior art searches across patent and non-patent literature and review potential §§ 102, 103, and 112 issues at both the claim and limitation level. For obviousness analyses, examine proposed reference combinations and rationales as potential starting points for attorney review.

A useful workflow should make it easier to compare claim language against the prior art, identify the disclosures being relied upon, assess the strength of a proposed theory, and determine whether it warrants further development.

[Request a Live Review](#)