

Supreme Court Review of Federal Circuit Patent Decisions

<u>Supreme Court Term</u>¹	<u>Federal Circuit Patent Cases Reviewed by Supreme Court</u>²	<u>Captions of Cases</u>
2007	1 ³	<i>Quanta Computer, Inc. v. LG Electronics, Inc.</i>
2006	3 ⁴	<i>KSR Int'l Co. v. Teleflex, Inc.</i> <i>Microsoft Corp. v. AT&T Corp.</i> <i>MedImmune, Inc. v. Genentech, Inc.</i>

¹ Each “Term” refers to the Supreme Court’s October Term for that year, beginning on the first Monday in October and ending one year later.

² The Federal Circuit was established on October 1, 1982. This chart shows Federal Circuit patent cases in which the Supreme Court granted certiorari since January 1, 1983. The Federal Circuit’s jurisdiction extends significantly beyond patent law, and the Supreme Court has granted certiorari in over thirty non-patent cases from the Federal Circuit. This chart does not reflect these non-patent cases. The chart also does not reflect “grant, vacate, and remand” decisions in Federal Circuit patent cases.

³ Late in the 2007 term, the Court requested the views of the Solicitor General in one patent case from the Federal Circuit, *Biomedical Patent Management v. Ca. Dept. of Health Services*. The Solicitor General has not yet submitted a brief in response to that request, and accordingly the pending petition has not yet been acted upon.

⁴ In the 2006 term, the Court requested the views of the Solicitor General in one patent case from the Federal Circuit, *Laboratory Corp. of Am. Holdings v. Metabolite Labs. Inc.* The Court initially granted certiorari but later dismissed it as improvidently granted in accordance with the views of the SG.

<u>Supreme Court Term</u> ¹	<u>Federal Circuit Patent Cases Reviewed by Supreme Court</u> ²	<u>Captions of Cases</u>
2005	3 ⁵	<i>eBay Inc. v. MercExchange, L.L.C.</i> <i>Illinois Tool Works Inc. v. Independent Ink, Inc.</i> <i>Unitherm Food Sys. v. Swift-Eckrich</i>
2004	1 ⁶	<i>Merck KGAA v. Integra Lifesciences I, Ltd.</i>
2003	0	
2002	0 ⁷	
2001	3	<i>Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc.</i> <i>Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki</i> <i>J.E.M. AG Supply, Inc. v. Pioneer Hi-Bred Int'l, Inc.</i>

⁵ In the 2005 term, the Court requested the views of the Solicitor General in four other patent cases from the Federal Circuit, *Smithkline Beecham v. Apotex*, *KSR v. Teleflex*, *Quanta Computer, Inc. v. LG Electronics, Inc.*, and *Microsoft Corp. v. AT&T Corp.*, and requested the views of the Solicitor General in an Eleventh Circuit antitrust case involving patent issues, *FTC v. Schering Plough*. Certiorari was granted in the Federal Circuit cases and denied in the Eleventh Circuit case in accordance with the views of the SG.

⁶ In the 2004 term, the Court requested the views of the Solicitor General in three other patent cases from the Federal Circuit, *Merck KGAA v. Integra Lifesciences I. Ltd.*, *Honeywell Int'l Inc. v. Hamilton Sundstrand Corp.*, and *McFarling v. Monsanto Co.* Certiorari was granted in *Merck* and denied in *Honeywell* and *McFarling* in accordance with the views of the SG.

⁷ In the 2002 term, the Court requested the views of the Solicitor General in 4 other patent cases from the Federal Circuit, *Micrel, Inc. v. Linear Tech. Corp.*, *Monsanto Co. v. Bayer CropScience, S.A.*, *Dethmers Mfg. Co. v. Automatic Equip. Mfg. Co.*, and *Duke Univ. v. Madey*. Certiorari was denied in all of these cases in accordance with the views of the SG.

<u>Supreme Court Term¹</u>	<u>Federal Circuit Patent Cases Reviewed by Supreme Court²</u>	<u>Captions of Cases</u>
2000	0	
1999	1	<i>Nelson v. Adams USA, Inc.</i>
1998	3	<i>Florida Prepaid v. College Savings Bank</i> <i>Dickinson v. Zurko</i> <i>Pfaff v. Wells Elec., Inc.</i>
1997	0	
1996	1	<i>Warner-Jenkinson v. Hilton- Davis</i>
1995	1	<i>Markman v. Westview Instruments, Inc.</i>
1994	1	<i>Asgrow Seed v. Winterboer</i>
1993	0	
1992	1	<i>Cardinal Chemical v. Morton Int'l, Inc.</i>
1991	0	
1990	0	
1989	0	
1988	0	
1987	1	<i>Christianson v. Colt Indus. Operating Corp.</i>
1986	0	
1985	1	<i>Dennison Mfg. Co. v. Panduit Corp.</i>
1984	0	
1983	0	