

## **Most Significant Recent Patent Cases**

**John F. Murphy**

**©Woodcock Washburn 2012**

### **Supreme Court**

Global-Tech Appliances v. SEB, No. 10-6 (Decided May 31, 2011) (Inducement)

Microsoft Corp. v. i4i Ltd. P'ship, No. 10-290 (Decided June 9, 2011) (Standard of proof for infringement)

Stanford v. Roche Molecular Systems, No. 09-1159 (Decided June 6, 2011) (Bayh-Dole)

Mayo Collaborative Servs. v. Prometheus Labs., No. 10-1150 (Decided March 20, 2012) (Patentable subject matter)

Hyatt v. Kappos, No. 10-1219 (awaiting decision) (new evidence in section 145 actions)

Caraco Pharm. Labs. v. Novo Nordisk, No. 10-844 (awaiting decision) (Hatch-Waxman)

### **Federal Circuit (*en banc*)**

Tivo Inc. v. Echostar Corp., No. 2009-1374 (Decided April 20, 2011) (contempt hearings and injunctions)

Therasense, Inc. v. BD, No. 2008-1511 (Decided May 25, 2011) (Inequitable conduct)

Marine Polymer v. Hemcon, No. 2010-1548 (Decided March 15, 2012) (Intervening rights)

Akamai Techs. v. Limelight Networks, No. 2009-1372 (awaiting decision) (Joint infringement)

McKesson Techs. v. Epic Systems, No. 2010-1291 (awaiting decision) (Joint infringement)

### **Federal Circuit (panel)**

Aspex Eyewear, Inc. v. Marchon Eyewear, No. 2011-1147 (Decided March 14, 2012) (claim and issue preclusion)

Myspace v. Graphon Corp., No. 2011-1149 (Decided March 2, 2012) (Patentable subject matter)

Ford Properties v. American Master Lease LLC, No. 2009-1242 (Decided February 27, 2012) (Patentable subject matter)

Bard Peripheral Vascular v. W.L. Gore & Assocs., No. 2010-1510 (Decided February 10, 2012) (future royalties)

DealerTrack v. Huber, No. 2009-1566 (Decided January 20, 2012) (Patentable subject matter)

## **Most Significant Recent Patent Cases**

**John F. Murphy**

**©Woodcock Washburn 2012**

Powell v. The Home Depot, No. 2010-1409 (Decided November 14, 2011) (Inequitable conduct, willfulness)

Retractable Technologies, Inc. v. Becton Dickinson, No. 2010-1402 (Rehearing en banc denied, October 31, 2011) (Claim construction)

Robert Bosch LLC v. Pylon Mfg., No. 2011-1096 (Decided October 12, 2011) (injunctions)

Atlantic Research Marketing Sys. v. Troy, No. 2011-1002 (Decided October 6, 2011) (written description)

In re Stepan Co., No. 2010-1261 (Decided October 5, 2011) (new ground of rejection)\

Cordis v. Boston Scientific, No. 2010-1311 (Decided September 28, 2011) (inequitable conduct)

In re Leithem, No. 2011-1030 (Decided September 19, 2011) (new ground of rejection)

Ultramercial v. Hulu, No. 2010-1544 (Decided September 15, 2011) (Patentable subject matter)

Classen Immunotherapies v. Biogen IDEC, No. 2006-1634 (Decided August 31, 2011) (Patentable subject matter)

August Tech. Corp. v. Camtek Ltd., No. 2010-1458 (Decided August 22, 2011) (inequitable conduct)

CyberSource Corp. v. Retail Decisions, Inc., No. 2009-1358 (Decided August 16, 2011) (Patentable subject matter)

CBT Flint Partners v. Return Path, No. 2010-1202 (Decided August 10, 2011) (claim drafting errors)

Eon-Net v. Flagstar Bancorp, No. 2009-1308 (Decided July 29, 2011) (fees and sanctions)

AMP and ACLU et al. v. PTO and Myriad, No. 2010-1406 (Decided July 29, 2011) (Patentable subject matter, subject matter jurisdiction)

General Protecht Group v. Leviton Mfg., No. 2011-1115 (Decided July 8, 2011) (implied license)

Spectralytics v. Cordis Corp., No. 2009-1564 (Decided June 13, 2011) (willfulness)

Siemens Medical Solutions v. Saint-Gobain Ceramics & Plastics, No. 2010-1145 (Rehearing en banc denied, June 7, 2011) (doctrine of equivalents)

## **Most Significant Recent Patent Cases**

**John F. Murphy**

**©Woodcock Washburn 2012**

Advanced Software Design Corp. v. Fiserv, No. 2009-1585 (Decided June 2, 2011) (inducement)

In re Mostafazadeh, No. 2010-1260 (Decided May 3, 2011) (reissue recapture)

Micron Technology v. Rambus Inc., No. 2009-1263 (Decided May 13, 2011) (duty to preserve)

Hynix Semiconductor v. Rambus Inc., No. 2009-1299 (Decided May 13, 2011) (duty to preserve)

Billups-Rothenberg v. Associated Regional, No. 2010-1401 (Decided April 29, 2011) (written description)

Juniper Networks v. Shipley, No. 2010-1327 (Decided April 29, 2011) (pleading standards)

Crown Packaging Tech. v. Ball Metak Beverage, No. 2010-1020 (Decided April 1, 2011) (written description)

In re Jung, No. 2010-1019 (Decided March 28, 2011) (prima facie case)

Innovention Toys v. MGA Entertainment, No. 2010-1290 (Decided March 21, 2011) (obviousness)

Cancer Research Tech. v. Barr Labs, No. 2010-1204 (Rehearing en banc denied, February 28, 2011) (prosecution laches)

In re Katz Interactive Call Processing Patent Litigation, No. 2009-1450 (Decided February 18, 2011) (multi-defendant litigation procedures)

Centocor Ortho Biotech v. Abbott Labs, No. 2010-1144 (Decided February 23, 2011) (written description)

Centillion Data Systems v. Qwest Communications, No. 2010-1110 (Decided January 20, 2011) (infringement of system claims)

Arlington Indus. v. Bridgeport Fittings, No. 2010-1025 (Decided January 20, 2011) (claim construction)

MBO Labs. v. Becton, Dickinson & Co., No. 2008-1288 (Decided April 12, 2010) (reissue recapture)