U.S. Supreme Court Patent Cases: 2006 to 2016

Year	Case	Issue	Issues	Comments
2006	*eBay v. MercExchange*	Should an injunction automatically issue upon a finding of infringement of a valid patent? [35 USC § 283]	Court imposes "four-factor test" to determine eligibility for injunctive relief in patent infringement cases	case restricts remedy to promote patent's exclusive right, with effect of compulsory license
2007	*Medimmune v. Genentech*	Does an alleged infringer have a priority right to challenge the validity of a patent upon acceptance of a letter alleging patent infringement? [28 USC § 151]	Defendant has right to challenge a patent's validity by seeking a declarative judgment (DJ) at any time in the patent's life	case severely restricts voluntary licensing market by exposing patent holder to validity challenge upon sending infringement letter to company
2007	*KSR v. Teleflex*	Is the TSM test inflexible in assessing patent obviousness [35 USC § 103]	Overturning the "teaching-suggestion-motivation" test as the exclusive test to establish patent obviousness	Decision enables lowering of bar to challenge patents as obvious principally by delinking field of patent
2008	*Quanta Computer v. LG Electronics*	What are the boundaries of doctrine of patent exhaustion?	Patent exhaustion limits a patent holder's rights for downstream users	Case enables downstream users to get free ride
2011	*Global-Tech Appliances Inc. v. SEB*	What is the intent requirement for induced infringement? [35 USC § 271]	Willful ignorance is not a defense against patent infringement	Infringer cannot ignore patents without willful infringement risk
2011	*i4i v. Microsoft*	What are the boundaries for the presumption of patent validity? [35 USC § 282]	Patent are presumed to be valid. Case overturned by AIA and institution of second window of patent review in IPRs/PGRs/CBMs	150 years of patent validity presumption support view of strong validity test to challenge patent
2013	*Association for Molecular Pathology v. Myriad Genetics, Inc.*	Are naturally occurring DNA patent eligible when applied in novel medical diagnostics? [35 USC § 101]	Naturally occurring DNA are not patent eligible	Case overturns Diamond v. Chakrabarty enabling emergence of biotech industry
2014	*Biosig v. Nautilus*	Review of patent indefiniteness [35 USC § 112]	Patent claims must not be indefinite but must precisely claim the invention	Case narrows patent eligibility standard of patent written description

2014	*Octane Fitness v. Icon Health*	What are the conditions for fee shifting in patent infringement cases? [35 USC § 285]	Judges have discretion in awarding attorney fees to opposing party	Case intended to constrain alleged frivolous patent infringement litigation
2010-2012-2014	*Bilski v. Kappos; Mayo v. Prometheus; Alice v. CLS*	What are the limits of an "abstract idea" for patentability? [35 USC § 101]	Addressing the abstract ideas exception to patentability, Court creates two-part test of patentability to link eligibility to machine	Cases narrow eligibility for patent, particularly in software and medical device industries
2015	*Commil v. Cisco*	Is a defendant's good faith belief in a patent's invalidity a defense of induced infringement?	Defendant belief in patent validity is not a defense of induced infringement	Simply challenging validity of patent is not legitimate defense of patent infringement
2016	*Cuozzo Speed Technologies v. Lee*	Does the PTO's Inter Partes Review broadest reasonable interpretation standard conform to the America Invents Act?	Administrative agencies have a right to interpret rules in the absence of clear congressional specificity	Court imposes Chevron (1984) again as most cited case to ignore substantive issues in critical case
2016	*Sequenom Laboratories v. Ariosa Diagnostics*	Do the PTO's IPR procedures deny patent applicants due process?	Court refuses to accept case	Court continues to ignore critical issue of patent validity challenges in PTO in contradiction to *i4i v. MS* decision
2016	*Halo Electronics v. Pulse Electronics*	Is the CAFC's two-part test in Seagate determining eligibility for willful infringement damages unduly inflexible? (35 USC § 284)	Court overturns inflexible two-part test in Seagate for eligibility for willful damages in patent infringement cases	Court lowers bar for enhanced damages eligibility in willful infringement cases
2016	*Samsung v. Apple*	Are lost profits in *design* patent infringement applicable to entire device?	Lost profits in design patent infringement are applied to an article of a device and not necessarily to the whole device	Court imposes apportionment of damages to a part of a larger device
2016	*TC Heartland v. Kraft Foods Group*	What are the limits of venue selection in patent infringement cases?	Court accepts case for review of patent venue statute [28 USC § 1400]	Court may apply higher standard for venue selection, with bias to defendant