

No. 16-712

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In The  
**Supreme Court of the United States**

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OIL STATES ENERGY SERVICES, LLC,

*Petitioner,*

v.

GREENE'S ENERGY GROUP, LLC ET AL.,

*Respondents.*

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**On Writ Of *Certiorari* To The  
United States Court Of Appeals  
For The Federal Circuit**

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**BRIEF OF *AMICI CURIAE* THIRTY-NINE  
AFFECTED PATENT OWNERS  
IN SUPPORT OF PETITIONER**

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JAY Q. KNOBLOCH  
TRADING TECHNOLOGIES INTERNATIONAL, INC.  
222 South Riverside Plaza  
Suite 1100  
Chicago, IL 60606  
(312) 476-1018  
jay.knobloch@tradingtechnologies.com

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**STATEMENT OF INTEREST  
OF *AMICI CURIAE***

Affected Patent Owners (“APOs”) are the undersigned inventors, entrepreneurs, principals and founders of entities that own patents duly issued by the United States Patent & Trademark Office (“PTO”) that were, or are currently, subject to Inter Partes Review (“IPR”) or other Post Grant Review (“PGR”) proceedings at the PTO.<sup>1</sup>

As those with direct and personal experience in the conduct and operation of the Patent Trial and Appeal Board (“PTAB”) in presiding over such post issuance proceedings, APOs are in a unique position, particularly well-suited to bring to this Court a perspective on the question of “extinguishing private property rights through a non-Article III forum” to assist the Court with evaluation of the practical impact of its decision in this case. The list of the APOs signatories and details of their respective PTAB proceedings are provided in the Appendix.



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<sup>1</sup> Pursuant to Supreme Court Rule 37.6, counsel listed on the cover states that counsel for a party did not author this brief in whole or in part. Nor did counsel for a party make a monetary contribution intended to fund the preparation or submission of the brief. All parties have consented to the filing of this *amicus* brief.

## SUMMARY OF ARGUMENT

APOs have each embarked on risky journeys to invent, develop, and bring to market inventions and technologies with the understanding that the American patent system will afford them substantial protections and thereby reduce the risks for them and for their investors. That promise did not materialize. The experience of the undersigned APOs ever since post-issuance proceedings were instituted at the PTAB is the opposite of the experience promised under the American patent system. The APOs were stripped of the level of judicial protection to which patent holders are entitled under the U.S. Constitution.

For the foregoing reasons and those explained further below, this Court should reverse the judgment of the Court of Appeals.



## ARGUMENT

### **I. PTAB INVALIDITY TRIALS ONLY OCCUR BECAUSE CONGRESS EXCEEDED ITS AUTHORITY UNDER THE CONSTITUTION**

By enacting the America Invents Act, Pub. L. 112-29, 125 Stat. 284 (2011) (“AIA”), Congress created the IPR proceeding in which the PTAB, a PTO administrative tribunal, adjudicates the validity of issued patents. The Petitioner and supporting *Amici* in this case address at length the question of the constitutionality of IPRs, concluding that IPR adjudications involve



traditional intellectual property private rights, historically adjudicated by the judiciary in Article III courts, often with a right to a jury for factual determinations. In this brief, APOs focus solely on the importance from the perspective of aggrieved rights holders of ensuring that Article III courts are the exclusive fora for adjudicating patent invalidity claims.

In the words of this Court, Article III “serves both to protect the role of the independent judiciary within the constitutional scheme” and “to safeguard litigants’ right to have claims decided before judges who are free from potential domination by other branches of government.” *Commodity Futures Trading Comm’n v. Schor*, 478 U.S. 833, 848 (1986) (quotations and citations omitted).

This Court has also cautioned that “[s]light encroachments [of one branch into another branch’s powers] create new boundaries from which legions of power can seek new territory to capture.” *Stern v. Marshall*, 564 U.S. 462, 503 (2011) (internal quotation marks omitted). Aware of such risk of interbranch incursions being used to justify yet deeper incursions, the Framers adopted the structural protections of Article III, “establishing high walls and clear distinctions because low walls and vague distinctions will not be judicially defensible in the heat of interbranch conflict.” *Plaut v. Spendthrift Farm*, 514 U. S. 211, 239 (1995).

If this Court were concerned in *Stern* about “slight encroachments” between the branches of government,

the encroachment here is absolute. Entire district court patent cases *in toto* get transferred to the PTAB. Nearly all cases get stayed upon the infringer's decision to invoke the PTAB, and of these, nearly all get resolved entirely in the Executive Branch agency. Namely, since the Federal Circuit holds that PTAB invalidity results annul even fully litigated Article III validity, damages and injunction outcomes, the stay-plus-PTAB cancellation becomes the one-two punch that ends nearly every patent case. This abrupt and complete encroachment into Article III territory is unprecedented and unjustified under this Court's precedents.

### **I.A Only Article III Courts with Juries Can Provide Justice for the Patent Owner**

Congress created Inter Partes Review to establish a more efficient and streamlined patent system. 77 Fed. Reg. 7080 (Feb. 10, 2012). Yet "the fact that a given law or procedure is efficient, convenient, and useful in facilitating functions of government, standing alone, will not save it if it is contrary to the Constitution." *INS v. Chadha*, 462 U. S. 919, 944 (1983). In creating such Executive Branch adjudication, Congress tossed aside numerous protections for the patent owner that can only be provided in Article III courts with jury trials.

In disputes over patent validity, Article III Courts provide (1) a neutral adjudicator (2) a presumption of an issued patent's validity, (3) the clear and convincing standard of proof, (4) correct interpretation of the

patent claims, (5) liberal discovery, (6) live testimony, (7) life tenured judges, and (8) juries.

The AIA-created Article I Tribunal provides (1) a right-grantor as that right's adjudicator, (2) no presumption of an issued patent's validity, (3) the mere preponderance of evidence standard of proof, (4) liberal interpretation of the claims, (5) limited discovery, (6) no live testimony, (7) fireable politically appointed adjudicators, and (8) no jury.

With Petitioner Oil States, APOs do not consent to adjudication of our patent rights by the PTO, the same agency that recently granted to us what we understood to be fully vested property rights – a promise by the government of exclusive rights to our discoveries. At this juncture, we do not dispute the Agency's prerogative to create rules and procedures, and make determinations as to whether or not an *application* for patent meets the statutory requirements. But when that determination is made and the Director affixes his or her signature with a seal to the patent, we are fully vested owners in that right – it has left the jurisdiction of the Agency. With Inter Partes Review, the PTO asserts the power over both vesting the property rights in the inventor, and in tearing them away. The effect of the patent grant is nullified, and our promised exclusive right is never actually secured. The PTAB hovers as a permanent cloud over the clean title to our patents and every one of the 2.5 million patents in force.

In asserting the role of both midwife and executioner, the PTO breaks from its own longstanding

tradition. “From 1898 until 1977, the Patent Office relied on [*McCormick Harvesting Machine Co. v. Aultman*, 169 U.S. 606 (1898)] as authority for its view that, lacking jurisdiction over an issued patent, the Patent Office should not consider or comment on an issued patent’s validity.” Robert W. Fieseler, *Staying Litigation Pending Reexamination of Patents*, 14 Loy U. Chi. L.J. 279, 283 (1982). Instead, the Patent Office relied on this Court’s 1898 ruling “that federal courts were the sole determiners of patent validity prevent[ing] any interaction between the courts and the Patent Office during patent litigation.” *Id.* Indeed, the PTO instructed its employees that “Congress, in 35 U.S.C. 282, has endowed every patent granted by the [PTO] with a presumption of validity. Public policy demands that every employee of the [PTO] refuse to express to any person any opinion or view as to the invalidity of any United States Patent except where a reissue application has been filed and is before the examiner for consideration. *The question of validity or invalidity is exclusively a matter for the courts to determine.*” Manual of Patent Examining Procedure, § 1701, (p. 401, Rev. of October 1981) (emphasis added),

Congress first empowered the PTO to erode these previously-recognized “high walls” with its 1981 enactment of *Ex Parte* Reexamination. This is a post-grant examination process whereby either the patentee or a third party might restart the granting process for an issued patent. The process might result in patent cancellation. As first enacted, *Ex Parte* Reexamination proceeded under the express supervision of the federal

trial courts. Until 1999, a dissatisfied patentee could receive *de novo* review of the reexamination outcome by filing a new civil action in the United States District Court for the District of Columbia. See *Teles AG v. Kappos*, 846 F. Supp. 2d 102 (D.D.C 2012) (holding that 1999 amendments removed this right).

Inventors understood that this initial “slight encroachment” into Judicial Branch powers arose for laudable reasons. Congress wished to “greatly reduce, if not end, the threat of legal costs being used to ‘black-mail’ [patent] holders into allowing patent infringements or being forced to license their patents for nominal fees.” 20 H. Rep. No. 96-1307, 96th Cong., 2d Sess. (1980) (discussing H.R. 6933, which became *Ex Parte* Reexamination). To the contrary, Congress did not craft the PTAB statute with either district court *de novo* review, or with any purpose of assisting inventors. Congress instead created the PTAB to address a perception that proving invalidity in a proper Article III forum was too difficult for infringers. H.R. Rep. No. 112-98, at 39.

The PTAB has accepted Congress’s legislative mandate to tilt the playing field against patent owners. At least 84% of patents challenged in the PTAB have been determined to be invalid. “Are more than 90 percent of patents challenged at the PTAB defective?” IPWatchdog Blog (June 14, 2017), (<http://www.ipwatchdog.com/2017/06/14/90-percent-patents-challenged-ptab-defective>). The few surviving patents are presently undergoing, or remain at risk of, additional challenges to their validity. Petitioner and supporting

*Amici* have aptly demonstrated that Patents are not a “public right” subject to the whims of Congress and the Agency revocation. Accordingly, tilting the playing field to make patent rights revocable by the Agency in contravention of Article III of the Constitution is not a prerogative of the Legislature.

Our patents are not entitlements that Congress can adjust like veterans’ benefits, tax credits, or welfare. They are government-issued personal property rights. These rights need to be “safe and assured” to serve their necessary function. Instead, they are now “fluctuating” and “unreliable,” a state this Court abhors when Executive Branch employees aggrandize themselves with the power to annul the very rights their agency issues. *Moore v. Robbins*, 96 U.S. 530, 533-34 (1878).

### **I.B Only Article III Courts Can Secure to Inventors the Exclusive Rights to Their Discoveries**

With capital, ingenuity, and perseverance APOs have come up with some valuable discoveries. For example, Roman Chistyakov of Zond developed a plasma ionization technology to deposit super thin and stable films. Three Valencell scientists developed the technology used in Fitbit and other biometric sensing devices. Ron Williams came up with secure eyewear retainers that don’t touch your neck or head. The world filled water balloons one at a time and sealed them with a knot – until Josh Malone invented the “modern” way with

Bunch O Balloons. Without *Amicus* Gene Dolgoff, Star Trek would not have a Holodeck and we would not have affordable and compact LCD projectors. David Breed, Peter Keller, John D'Agostino, Tom Lanni, Carl Cooper, Tilak Shah, Aaron Greenspan, David Chen and countless others all made similar contributions to modern technology and conveniences.

APOs inventors were instructed in and believed in the “quid pro quo” of the American patent system. If we disclosed and shared our discovery, the government promised us 20 years of exclusive rights. That exclusivity is the incentive that motivates us to risk substantial time and money in innovative endeavors. Absent the exclusive right, the risk of pursuing innovation would drastically outweigh the rewards. We would have to keep our discoveries secret, or give them away for free!

This bargain was ingeniously adopted by our Founding Fathers in the Constitution, granting Congress the power for “securing for limited times to . . . inventors the exclusive right to their . . . discoveries”. U.S. Const. Art. I, Sec. 8, Cl. 8.

There can be no “secure” right while the PTO controls both the grant and revocation. *See Moore*, 96 U.S. at 533-34. The PTAB experiment has proven to be the opposite of secure. We APOs have disclosed our inventions, followed the rules, successfully prosecuted our claims that were finally endorsed by the PTO examiner, paid the fees, and received a patent. But we cannot rely on it. With few exceptions, APOs have been

prevented from enforcing our exclusive rights in civil actions while the PTO adjudicates whether it pleases it to allow us to keep the patent it issued. In most cases the patent is eventually cancelled and the exclusive right is extinguished. Many of APOs' patents have been endorsed by the PTO in multiple examinations and proceedings, only to be revoked in a subsequent IPR proceeding. For example, Zond's patents survived examination and several challenges, but after 125 petitions all 371 claims eventually succumbed to PTO reversal. D'Agostino earned a patent, which was subsequently endorsed by the PTO in a reexamination, and upheld a third time when the Federal Circuit vacated an adverse PTAB decision. But the fourth time the patent appeared before the PTO, over the identical prior art as the first three times, the PTAB revoked it. Also, the PTO is simultaneously issuing and revoking related patents to Tinnus, with the examiner and the PTAB coming to differing conclusions on patentability.

To add insult to injury, the PTO promulgated procedures that are one-sided in favor of the IPR petitioner and prejudicial to patent owners. The PTAB rules (i) provide that any factual dispute created by testimonial evidence that is material to the institution decision will be resolved in favor of the IPR petitioner. § 42.208(c); (ii) shift the burden from the PTO of making a prima facie case of non-patentability, *In re Oetiker*, 977 F.2d 1443, 1445 (Fed.Cir.1992), to the patent owner for showing patentability of the substitute



claims when submitting a motion for claim substitution, 37 CFR § 42.20(c); *Idle Free Systems, Inc. v. Bergstrom, Inc.*, IPR2012-00027 (PTAB June 11, 2013) (Paper 26, at \*7) (informative), (“The burden is not on the petitioner to show unpatentability, but on the patent owner to show patentable distinction over the prior art of record and also prior art known to the patent owner.”); and (iii) require that the substitute claims be narrower than the claims being replaced. 81 *Fed. Reg.* 18750, 18754 (April 1, 2016); *MasterImage 3D, Inc. v. RealD Inc.*, Case IPR2015-00040, slip op. at 3 (PTAB July 15, 2015) (Paper 42).

It is important to note that the PTO is often not ruling on whether the patent owner has a patentable invention (which is the proper role for the PTO in examination); rather the PTO often annuls its earlier decision as to the proper formulation of the claims to the invention. Under this scheme, there is no possibility of securing the exclusive rights to an invention. APOs are caught in an indefinite loop with series of new or reissued patents being approved by the PTO, only to be revoked a few years later by the same agency.

Many of these IPR challenges are mounted in parallel with patent infringement disputes in federal courts. Whether in court or at the PTAB, an *issued* patent must be presumed valid, 35 U.S.C. § 282, and “shall have the attributes of personal property.” 35 U.S.C. § 261. That property is defined by a boundary written in the patent claim. The metes and bounds of the claim “must be precise enough to afford clear notice of what is claimed, thereby apprising the public of

what is still open to them. Otherwise there would be a zone of uncertainty which enterprise and experimentation may enter only at the risk of infringement claims.” *Nautilus, Inc. v. Biosig Instruments, Inc.*, 134 S. Ct. 2120, 2129 (2014) (quotations and citations omitted). Thus, there can be only one “property line” for an issued patent that distinguishes it from property of others under § 261. The extent of an item of personal property cannot vary depending on which tribunal is adjudicating that property.

However, the PTAB claim construction under its “Broadest Reasonable Interpretation” (“BRI”) doctrine differs from the one applied in the courts, thereby presuming for invalidity analysis a broader scope of prior art than would otherwise be available under the standard applied in the courts. APOs do not question this Court’s decision to affirm the Federal Circuit’s conclusion “that Congress implicitly approved the broadest reasonable interpretation standard in enacting the AIA.” *In re Cuozzo Speed Techs., LLC*, 793 F.3d 1268, 1278 (Fed. Cir. 2015), *aff’d sub nom. Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, (2016). In *Cuozzo*, this Court was not presented with the instant question of the constitutionality of the IPR statute – it merely affirmed the PTO’s authority to interpret it.

APOs believe, nevertheless, that this Court’s acknowledgement in *Cuozzo* that there may be Congressional intent that the PTO apply the BRI in variance with the standard used by the courts under Article III is a damning testament to the IPR’s constitutional infirmity. This is further exemplified by the

“fluctuating” authority, not present in Article III, with which the PTO empowers itself to choose, in response to a motion by a litigant, which claim construction standard the PTAB would apply – the BRI or that employed by the courts. *See* 37 C.F.R. § 42.100(b) (A party may request a district court-type claim construction by a motion within 30 days from the filing of the IPR petition). No Article III court is vested with such plenary authority. This Court has long held claim construction in view of the specification, drawings and prosecution history as mandatory. *Schriber-Schroth Co. v. Cleveland Trust Co.*, 311 U.S. 211, 217, 220-21 (1940).

It should be noted that in alleging and proving infringement of their patent claims, APOs are not permitted to define the scope of their claims under the BRI standard; neither should alleged infringers be afforded such claim construction when they seek to invalidate a patent claim. A patent claim is not “like a nose of wax, which may be turned and twisted in any direction . . . for the purpose of changing it, and making it different from what it is.” *White v. Dunbar*, 119 U.S. 47, 51-52 (1886).

The broader claim construction standards and the attenuated standard of proof at the PTAB have measurable and real effect. Controlling for confounders due to selection effects, researchers have recently shown that invalidation rates at the PTAB are substantially and significantly higher than those in the courts.

Gregory Dolin and Irina Manta, *Taking Patents*, 73 Wash. & Lee L. Rev. 719 (2016).<sup>2</sup>

### **I.C Increasing and Irreconcilable Conflicts Require That the Judicial Branch Hold Ultimate Adjudicatory Power Over Granted Patents**

Congress exceeded its authority with the AIA. It designed a tribunal to compete with and usurp the Judicial Branch. Prior to the AIA, conflict between the branches on decisions of patent validity was rare. Since the AIA, it has become commonplace for the PTAB to hold a patent to be invalid simultaneous with or subsequent to an Article III holding the same patent to be not invalid. While the district court held the term “substantially filled with water” in APOs’ Tinnus’ patent to meet statutory requirements, the PTAB determined the phrase to be indefinite and cancelled the claims. The patent presently stands simultaneously valid and

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<sup>2</sup> Compare Special Verdict at 7, *Paice LLC v. Hyundai Motor Co.*, No. 1:12-cv-499-MJG (D. Md. Oct. 7, 2015), ECF No. 756 (finding no invalidity), with *Ford Motor Co. v. Paice LLC*, No. IPR2014-00904, 2015 WL 8536745 (P.T.A.B. Dec. 10, 2015) (invalidating claims); Orders, *InterDigital Commc’ns Inc. v. ZTE Corp.*, No. 1:13-cv-9-RGA (D. Del. Aug. 28 and Nov. 5, 2014), ECF Nos. 361, 453 (denying pre- and post-trial motions for finding of invalidity), with *ZTE Corp. v. IPR Licensing, Inc.*, No. IPR2014-00525, 2014 WL 10405879 (P.T.A.B. Sept. 14, 2014) (invalidating claims); *Whitserve, LLC v. Computer Packages, Inc.*, 694 F.3d 10, 24-25 (Fed. Cir. 2012) (affirming jury verdict rejecting invalidity), with *Google, Inc. v. Whitserve LLC*, No. IPR2013-00249, 2014 WL 4537504 (P.T.A.B. Sept. 9, 2014) (invalidating claims).

invalid. While several of Trading Technologies International's patents have been upheld in two jury trials, in one or more reexaminations, and/or at the Federal Circuit, the PTAB has invalidated these patents.

This is an ongoing problem for the Federal Circuit, which bungled the task of reconciling incompatible decisions. The question was raised (but not answered) by the Court in 1993 – “if a final decision of unpatentability means the patent was void ab initio, then damages would also be precluded.” *Standard Havens Prods., Inc. v. Gencor Indus., Inc.*, 1993 U.S. App. LEXIS 11963 (Fed. Cir. May 21, 1993) (nonprecedential). In 2007, it allowed Executive Branch cancellation to trump Judicial Branch damages and injunctions by stating, “In light of this court’s decision in *In re Translogic Tech., Inc.*, this court vacates the district court’s decision and remands this case to the district court for dismissal.” *Translogic Tech. v. Hitachi Ltd.*, 2007 U.S. App. LEXIS 23951 (Fed. Cir. Oct. 12, 2007) (nonprecedential). In 2013, a split panel rationalized that “cancellation extinguishes the underlying basis for suits based on the patent.” *Fresenius USA, Inc. v. Baxter Int’l, Inc.*, 721 F.3d 1330, 1344 (Fed. Cir. 2013). More recently, the Federal Circuit held that “the PTAB properly may reach a different conclusion based on the same evidence.” *Novartis AG. v. Noven Pharma., Inc.*, 853 F.3d 1289, 1294 (Fed. Cir. 2017).

The Federal Circuit in the earlier *Baxter* case expressed the conundrum well:

Lest it be feared that we are erroneously elevating a decision by the PTO over a decision by a federal district court, which decision has been affirmed by this court, the following additional comments must be made. When a party who has lost in a court proceeding challenging a patent, from which no additional appeal is possible, provokes a reexamination in the PTO, using the same presentations and arguments, even with a more lenient standard of proof, the PTO ideally should not arrive at a different conclusion.

*In Re Baxter Int'l*, 678 F.3d 1357, 1365 (Fed. Cir. 2012).

Yet, as shown above, different conclusions have become the norm. As this Court has noted, “the possibility of inconsistent results is inherent to Congress’[s] regulatory design.” *Cuozzo*, 136 S. Ct. at 2146. This observation condemns, not justifies, what Congress has done in triggering the separation of powers violation here – an issue not before the *Cuozzo* court. *Cuozzo* was the first Inter Partes Review, and inconsistent results have proliferated since, often with this Court’s above-cited words used as blessing. As a result, infringement cases in district courts are more frequently stayed to permit the PTAB to complete an indeterminate number of adjudications of the patent grant. Here, Congress was supposed to provide an alternate venue without explicitly removing adjudication of patent rights from the Article III Court. Yet steadily that is what is occurring. Among APOs, nearly all have seen their actions stayed or terminated, yielding to the PTAB. The few that proceeded to determinations in

both venues resulted in conflicting rulings, with the Federal Circuit poised to let Executive Branch outcomes supersede those of the Judicial Branch.

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## CONCLUSION

The Federal Circuit's decision rejecting an Article III challenge to PTAB trials under the America Invents Act rests on its statement, "patent rights are public rights." *MCM Portfolio v. Hewlett-Packard Co.*, 812 F.3d 1284 (Fed. Cir. 2015). This is a startling and dramatic transformation of the nature of the patent right, never contemplated nor debated in any legislative act. This statement signifies that hard-won and costly-to-obtain private property remains in force only at the pleasure, whim, and discretion of governmental civil servants subject to termination and replacement of political officers of the Executive Branch.

The pronouncement that private property right is now a "public right" threatens to destroy the integrity of the American patent system. This rationalization could implicate every other type of private property as well. It would be bad enough if this were used to deprive one private litigant of constitutional rights in a case-specific error. But the Federal Circuit's holding affects each and every inventor or would-be inventor of a United States patent. By extension, it affects their investors and sponsoring companies as well. Trillions of dollars of value hang in the balance.

For the foregoing reasons, the judgment of the Court of Appeals should be reversed to restore the constitutional protections to which patent owners are entitled.

Respectfully submitted,

*Affected Patent Owner Amicus Curiae\**

ROMAN CHISTYAKOV & BASSAM ABRAHAM  
Inventor & Founders, Zond  
*High Density Plasma Sputtering  
Technology (Zpulser)*

Petitions: 125  
Petitioners: 8  
Patents: 10

DAVID BREED  
Inventor & Founder, American  
Vehicular Science  
*Vehicular Sensing, Diagnostic, Safety,  
and Control Systems*

Petitions: 42  
Petitioners: 13  
Patents: 16

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\* Numeric representations of “Petitions,” “Petitioners,” and “Patents” were generally sourced from <https://insight.rpx-corp.com>. APO make no representation as to the accuracy, and no disclaimer of rights in the underlying matters.



JOHN HARVEY  
Inventor & Founder, Personalized  
Media Communications  
*Signal Processing Apparatus  
& Methods*  
Petitions: 29  
Petitioners: 6  
Patents: 20

DAVID MONROE  
Inventor & Founder, E-watch  
*Multimedia Surveillance Sensors  
and Systems*  
Petitions: 28  
Petitioners: 13  
Patents: 7

DANIEL FLAMM  
Inventor, Daniel Flamm  
*Plasma Etching Improvements*  
Petitions: 26  
Petitioners: 6  
Patents: 3

JAY KNOBLOCH  
Counsel, Trading Technologies  
International, Inc.  
*Click Based Trading With Intuitive  
Grid Display*  
Petitions: 22  
Petitioners: 8  
Patents: 13

STEVEN LEBOEUF, JESSE TUCKER,  
 & MICHAEL AUMER  
 Inventors & Founders, Valencell  
*Wearable Physiological  
 Monitoring Devices*

Petitions: 17  
 Petitioners: 2  
 Patents: 9

TERRY FOKAS  
 President, Parallel Networks  
*Client Server Architecture, Load-  
 balancing, Peer to Peer Networking  
 and Dynamic Applet Technologies*

Petitions: 13  
 Petitioners: 5  
 Patents: 6

MICHAEL SHANAHAN  
 General Counsel, Image Processing  
 Technologies  
*Image Processing*

Petitions: 12  
 Petitioners: 1  
 Patents: 5

ISSAC LEVANON  
 Inventor & Founder, Bradium  
 Technologies LLC  
*Image Processing, Transmission of  
 Images in a Limited Bandwidth  
 Network*

Petitions: 9  
 Petitioners: 1  
 Patents: 5

LEON STAMBLER  
Inventor, Leon Stambler  
*Method for Securing Information  
Relevant to a Transaction*  
Petitions: 8  
Petitioners: 5  
Patents: 2

CHOON NG  
Inventor & Founder, Choon's Designs  
*Brunnian Link Making Device  
and Kit (Rainbow Loom)*  
Petitions: 8  
Petitioners: 3  
Patents: 3

EMIL MALAK  
CEO, Voip-Pal.com  
*Producing Routing Messages  
for VOIP Communications*  
Petitions: 8  
Petitioners: 3  
Patents: 2

JOSH MALONE  
Inventor & Founder, Tinnus Enterprises  
*Filling Containers with Fluid  
(Bunch O Balloons)*  
Petitions: 6  
Petitioners: 1  
Patents: 6

GENE DOLGOFF  
Inventor & Licensor, Cascades Projection  
*High Efficiency & Uniformity  
Display Optics*  
Petitions: 6  
Petitioners: 5  
Patents: 1

LEROY HAGENBUCH  
Inventor, Leroy Hagenbuch  
*Tracking & Recording Vital Signs &  
Task-Related Information of a Vehicle*  
Petitions: 6  
Petitioners: 2  
Patents: 3

PETER KELLER  
Inventor & Founder, Advanced  
Audio Devices  
*Personal Digital Stereo Player*  
Petitions: 5  
Petitioners: 1  
Patents: 5

ALEXANDER CHENG  
Inventor & Founder, C-Cation  
Technologies  
*Dynamic Channel Management &  
Signalling Method and Apparatus*  
Petitions: 5  
Petitioners: 4  
Patents: 1

JOHN D'AGOSTINO  
Inventor, John D'Agostino  
*System & Method for Performing  
Secure Credit Card Transactions*  
Petitions: 4  
Petitioners: 1  
Patents: 2

DANIEL EGGER  
Inventor & Founder, Software  
Rights Archives  
*Method and Apparatus for Indexing,  
Searching, and Displaying Data*  
Petitions: 4  
Petitioners: 3  
Patents: 3

CARL COOPER  
Inventor, Carl Cooper  
*Universal Credit Card Apparatus  
& Method*  
Petitions: 3  
Petitioners: 1  
Patents: 3

PATRICK TOOMAN & BRUCE CASEY  
Inventors & Founders, Plastic  
Engineering & Technical Services  
*Injection Molding Valve Gate Assembly*  
Petitions: 3  
Petitioners: 1  
Patents: 3

WARD MULLINS and ALEXANDRE MARTINS  
 Inventors & Founders, Thought, Inc  
*Dynamic Object-driven Database  
 Manipulation and Mapping System*

Petitions: 3  
 Petitioners: 1  
 Patents: 3

NADER & KAMRAN ASGHARI-KAMRANI  
 Inventors, Asghari-Kamrani  
*Centralized Identification and  
 Authentication System and Method*

Petitions: 3  
 Petitioners: 1  
 Patents: 1

TOM LANNI  
 Inventor  
*Modular Power Supplies for  
 Electronic Devices*

Petitions: 3  
 Petitioners: 2  
 Patents: 3

TILAK SHAH  
 Inventor & Founder, Polyzen  
*Therapeutic Implantable Balloon Device*

Petitions: 3  
 Petitioners: 1  
 Patents: 3

RON WILLIAMS  
 Inventor & Founder, Cablz  
*Eye Wear Retention Device (Cablz)*

Petitions: 2  
 Petitioners: 2  
 Patents: 1

AARON GREENSPAN

Inventor & Founder, Think Computer  
*Method & System for Transferring  
an Electronic Payment*

Petitions: 2

Petitioners: 1

Patents: 1

TOM WAUGH

Inventor, Tom Waugh  
*Centrifugally Cast Pole & Method*

Petitions: 2

Petitioners: 1

Patents: 2

FRANK WEYER and TROY JAVAHER

Inventors & Founders, EveryMD  
*Business System for Online*

*Communication with Online  
& Offline Recipients*

Petitions: 2

Petitioners: 3

Patents: 2

JON CAPRIOLA

Inventor & Founder, Capriola  
Corporation

*Illuminated Toy Building Structures*  
(Laser Pegs)

Petitions: 2

Petitioners: 2

Patents: 1

SELWYN SIMMONS

Manager, IMTX Strategic

*Transaction System for Transporting  
Media Files From Content Provider  
Sources to Home Entertainment  
Devices*

Petitions: 2  
Petitioners: 5  
Patents: 1

DAVID CHEN

Inventor & Founder, Bragel

*Attachable Breast Form Enhancement  
System (Bragel)*

Petitions: 1  
Petitioners: 1  
Patents: 1

IAN STEWART

Founder, Avenue Innovation

*Universal Device for Facilitating  
Movement Into and Out of a Seat  
(HandyBar)*

Petitions: 1  
Petitioners: 1  
Patents: 1

RICHARD CANNARELLA

Inventor, Richard Cannarella

*System & Method for Generating  
and Storing Clean Energy*

Petitions: 1  
Petitioners: 3  
Patents: 1



PAUL HAYES

Inventor

*Electric Smart Meter*

Petitions: 1

Petitioners: 1

Patents: 1

DAVID ARNOLD

Founder & Inventor, Wavetronix

*Innovative Radar-based Traffic  
Solutions*

Petitions: 1

Petitioners: 1

Patents: 1

QIDE QIAN

Inventor & Founder, IYM

Technologies LLC

*IC layout optimization*

Petitions: 1

Petitioners: 2

Patents: 1

YASUO KAMATANI

Inventor & Founder, Kamatani

Cloud LLC

*Voice and image processing in a cloud*

Petitions: 1

Petitioners: 1

Patents: 1

30 AUGUST 2017