

## NOTABLE IP COMPETITION ADVOCACY FILINGS

## Amicus Briefs

**Standard-Setting Abuse**

Brief of the American Antitrust Institute in Support of the FTC, *FTC v. Qualcomm*, No 5:17-cv-00220-LHK, N.D. Cal. (May 16, 2017), <http://www.antitrustinstitute.org/sites/default/files/FTCVQualcommAmicusBrief.pdf>

Brief of Amicus Curiae American Antitrust Institute and National Consumers League in Support of Appellants, *SD3 v. Black & Decker (U.S.) Inc.*, 801 F.3d 412 (4th Cir. 2015), [http://www.antitrustinstitute.org/sites/default/files/14-1746\\_AAI\\_NCL\\_Amicus\\_Brief.pdf](http://www.antitrustinstitute.org/sites/default/files/14-1746_AAI_NCL_Amicus_Brief.pdf).

Brief of Amicus Curiae The American Antitrust Institute in Support of Neither Party, *Apple, Inc. v. Motorola, Inc.*, 757 F.3d 1286 (Fed. Cir. 2014), <http://www.antitrustinstitute.org/sites/default/files/2012.12.04%20AAI%20Amicus%20Brief%20In%20Support%20of%20Neither%20Party.pdf>

Brief of Amici Curiae American Antitrust Institute et al. in Support of Petition for Writ of Certiorari, *Fed. Trade Comm'n v. Rambus Inc.*, 555 U.S. 1171 (2009), [http://www.antitrustinstitute.org/files/AAIRambusAmicus.12.29.08\\_123020081711.pdf](http://www.antitrustinstitute.org/files/AAIRambusAmicus.12.29.08_123020081711.pdf).

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**Patent Misuse by Exclusive Package Licensing**

Brief of Amicus Curiae American Antitrust Institute on Rehearing En Banc, *Princo Corp. v. Int'l Trade Comm'n*, 616 F.3d 1318 (Fed. Cir. 2010), [http://www.antitrustinstitute.org/sites/default/files/AAIPrincoAmicusBrief\\_012720101312.pdf](http://www.antitrustinstitute.org/sites/default/files/AAIPrincoAmicusBrief_012720101312.pdf).

**Walker Process Claims**

Brief for American Antitrust Institute et al. as Amici Curiae Supporting Plaintiff-Appellee, *Ritz Camera & Image, LLC v. Sandisk Corp.*, 700 F.3d 503 (Fed. Cir. 2012), [http://www.antitrustinstitute.org/sites/default/files/BRIEF\\_0.pdf](http://www.antitrustinstitute.org/sites/default/files/BRIEF_0.pdf).

**Reverse Payments and Product Hopping**

Brief for the American Antitrust Institute as Amicus Curiae in Support of Plaintiff-Appellant, *Mylan Pharms., Inc. v. Warner Chilcott Pub. Ltd. Co.*, 838 F.3d 421 (3d Cir. 2016), [http://www.antitrustinstitute.org/sites/default/files/Doryx\\_Case\\_AAI\\_Amicus\\_Brief.pdf](http://www.antitrustinstitute.org/sites/default/files/Doryx_Case_AAI_Amicus_Brief.pdf).

Brief Amici Curiae of 118 Law, Economics, and Business Professors, and the American Antitrust Institute, *FTC v. Actavis*, 133 S. Ct. 2223 (2013), [http://www.antitrustinstitute.org/sites/default/files/SC\\_Watson\\_academic\\_AAI\\_brief.pdf](http://www.antitrustinstitute.org/sites/default/files/SC_Watson_academic_AAI_brief.pdf).

**Exhaustion Doctrine**

Brief of Amici Curiae Intellectual Property Professors and American Antitrust Institute in Support of Petitioner, *Impression Products, Inc. v. Lexmark Int'l, Inc.*, No. 15-1189 (Sup. Ct. filed Jan. 24, 2017), [http://www.antitrustinstitute.org/sites/default/files/15-1189\\_tsac\\_IntellectualPropertyProfessors.pdf](http://www.antitrustinstitute.org/sites/default/files/15-1189_tsac_IntellectualPropertyProfessors.pdf).

Brief of Amici Curiae American Antitrust Institute et al. in Support of Petitioner, *Bowman v. Monsanto Co.*, 133 S.Ct. 1761 (2013), [http://www.antitrustinstitute.org/sites/default/files/11-796\\_tsac\\_American\\_Antitrust\\_Institute\\_et\\_al.-1.pdf](http://www.antitrustinstitute.org/sites/default/files/11-796_tsac_American_Antitrust_Institute_et_al.-1.pdf).

Brief for Amicus Curiae American Antitrust Institute in Support of Petitioners, *Quanta Computer, Inc. v. LG Electronics, Inc.*, 553 U.S. 617 (2008), [http://www.antitrustinstitute.org/files/06-937tsacAmericanAntitrustInstitute\\_111320071343.pdf](http://www.antitrustinstitute.org/files/06-937tsacAmericanAntitrustInstitute_111320071343.pdf).

**Patentability**

Brief for Amicus Curiae American Antitrust Institute in Support of Respondents, *Alice Corp. Pty., Ltd. v. CLS Bank Int'l*, 134 S. Ct. 2347 (2014), [http://www.antitrustinstitute.org/sites/default/files/13-298\\_bsac\\_American\\_Antitrust\\_Institute.pdf](http://www.antitrustinstitute.org/sites/default/files/13-298_bsac_American_Antitrust_Institute.pdf).

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As to injunctions, see Brief of Amicus Curiae The American Antitrust Institute in Support of Neither Party, *Apple, Inc. v. Motorola, Inc.*, 757 F.3d 1286 (Fed. Cir. 2014), [http://www.antitrustinstitute.org/sites/default/files/2012.12.04\\_AAI\\_Amicus\\_Brief\\_In\\_Support\\_of\\_Neither\\_Party.pdf](http://www.antitrustinstitute.org/sites/default/files/2012.12.04_AAI_Amicus_Brief_In_Support_of_Neither_Party.pdf).

As to FRAND royalties, see Brief for Amicus Curiae American Antitrust Institute Supporting Neither Party, *Ericsson, Inc. v. D-Link Systems, Inc.*, 773 F.3d 1201 (Fed. Cir. 2014), [http://www.antitrustinstitute.org/sites/default/files/Ericsson\\_Brief\\_12.20.13.pdf](http://www.antitrustinstitute.org/sites/default/files/Ericsson_Brief_12.20.13.pdf).

## **Design Patents**

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## **Copyright**

Brief of American Antitrust Institute as Amicus Curiae in Support of Petition for Rehearing En Banc, *Oracle America, Inc. v. Google LLC*, Fed. Cir. Nos. 17-1118, 17-2002 (June 12, 2018), <https://www.antitrustinstitute.org/wp-content/uploads/2018/10/AAIRhearingAmicusBrief.pdf>

Brief of Amici Curiae Computer & Comm. Industry Ass'n and the American Antitrust Institute, *Cisco Systems v. Arista Networks*, Fed. Cir. No. 2017-2145 (Dec. 20, 2017), [http://www.antitrustinstitute.org/sites/default/files/17-2145%20Cisco%20v%20Arista\\_Amici%20CCIA%20Brief.pdf](http://www.antitrustinstitute.org/sites/default/files/17-2145%20Cisco%20v%20Arista_Amici%20CCIA%20Brief.pdf)

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## **White Papers, Comments, and Other Advocacy**

### **Standard-Setting Abuse**

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### **Patent Assertion Entities (PAEs)**

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### **Transgenic Seeds**

Testimony of Diana L. Moss Before the Senate Judiciary Committee on Consolidation and Competition in the U.S. Seed and Agrochemical Industry, Sep. 20, 2016, [http://www.antitrustinstitute.org/sites/default/files/SJC\\_Moss\\_Testimony\\_9.20.16\\_F.pdf](http://www.antitrustinstitute.org/sites/default/files/SJC_Moss_Testimony_9.20.16_F.pdf).

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### **Other**

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