

16-969 SAS INSTITUTE INC. V. MATAL

DECISION BELOW: 825 F3d 1341

LOWER COURT CASE NUMBER: 2015-1346, 2015-1347

QUESTION PRESENTED:

Does 35 U.S.C. § 318(a), which provides that the Patent Trial and Appeal Board in an inter partes review "shall issue a final written decision with respect to the patentability of any patent claim challenged by the petitioner," require that Board to issue a final written decision as to every claim challenged by the petitioner, or does it allow that Board to issue a final written decision with respect to the patentability of only some of the patent claims challenged by the petitioner, as the Federal Circuit held?

CERT. GRANTED 5/22/2017