



Charles R. Macedo, David Goldberg and Chandler Sturm Co-Author IP Watchdog Article on Askeladden Brief Asks SCOTUS to Grant U.S. Government's Petition to Reconsider Whether PTAB APJs Are Principal Officers Under the Appointments Clause

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On July 29, Askeladden LLC filed an amicus brief in support of the U.S. Government's combined petition for a writ of certiorari in U.S. v. Arthrex, Inc., No. 19-1434.

In this [IPWatchdog article](#), "[Askeladden Brief Asks SCOTUS to Grant U.S. Government's Petition to Reconsider Whether PTAB APJs Are Principal Officers Under the Appointments Clause](#)," Charles R. Macedo, the principal counsel, and David Goldberg and Chandler Sturm, additional counsel for Askeladden and James Howard, the Vice President and Associate General Counsel at The Clearing House Payments Company LLC and Associate General Counsel for Askeladden LLC on the brief explore the implications of this amicus brief.

As [the article notes](#), Askeladden asks the Supreme Court to accept the petition and address the threshold question raised by the U.S. Government: whether, for purposes of the Appointments Clause, U.S. Const. art. II, § 2, Cl. 2, administrative patent judges (APJs) of the Patent Trial and Appeals Board (PTAB) of the U.S. Patent and Trademark Office (USPTO) are "principal officers" who must be appointed by the President with the Senate's advice and consent, or "inferior officers" whose appointment Congress has permissibly vested in a department head.