



## **Brief of Amicus Curiae NYIPLA in Support of Petitioner in Booking.com v. U.S. Patent and Trademark Office, No. 18-1309 (S.Ct. May 16, 2019)**

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[NYIPLA Urges Supreme Court to Clarify the Definition of “Expenses” in Lanham Act.](#)

On Thursday, May 16, 2019, the New York Intellectual Property Law Association (“NYIPLA”) filed an amicus brief in support of a petition for a writ of certiorari by Booking.com B.V. urging the Supreme Court to decide whether a trademark applicant must pay the United States Patent and Trademark Office’s (“PTO”) attorneys’ fees as “expenses in United States district court appeals pursuant to 15 U.S.C. § 1071 (b)(3). The NYIPLA takes the position that the Supreme Court should grant certiorari in this case and consolidate it with *Peter v. Nantkwest*, No. 18-801 under Rules of the Supreme Court 27.

In support, the NYIPLA argued that Booking.com raises the same issue as *NantKwest*, but challenges the statutory definition of “expenses” for the Trademark Act (15 U.S.C.) instead of the Patent Act (35 U.S.C.) [...]

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