



## In the Press:

### IP Law 360 Reports On Amicus Brief Submitted By Firm on Behalf of NYIPLA in *Cuozzo v. Lee*

- *IP Law360*, March 2, 2016

The New York Intellectual Property Law Association also filed an amicus brief in the case, but said it was taking no position on the claim construction issue. Instead, it focused on the second question presented by *Cuozzo*, which challenges the Federal Circuit's ruling that decisions to institute AIA reviews are not appealable, even if the PTAB exceeds its authority.

"That conclusion is at odds with a long line of decisions by this court," the group said. "It turns the statutory limits on the [USPTO's] authority into a toothless nullity and effectively gives the [USPTO] a blank check to expand its authority beyond clear statutory limits without judicial constraint."

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NYIPLA is represented by Eugene Gelernter, Irena Royzman and Jason Vitullo of Patterson Belknap Webb & Tyler LLP; Dorothy Auth of Cadwalader Wickersham & Taft LLP and Charles Macedo and David Goldberg of Amster Rothstein & Ebenstein LLP.

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